

SELLY OAK COLLEGES PUBLICATIONS, NO. 7.

THE REVIVAL OF EUROPE

SELLY OAK COLLEGES  
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# THE REVIVAL OF EUROPE

CAN THE LEAGUE  
OF NATIONS HELP?

BY

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## CONTENTS

	PAGE
I. INTRODUCTION . . . . .	9
II. THE CONSTITUTION OF THE LEAGUE . . . . .	17
III. USEFUL WORK . . . . .	45
IV. PREVENTING WARS . . . . .	77
V. DISARMAMENT . . . . .	107
VI. THE LEAGUE AND GERMANY . . . . .	131
VII. MAJORITIES AND MINORITIES . . . . .	162
VIII. THE INTERNATIONAL SPIRIT . . . . .	182



## INTRODUCTION

THOSE who are working for the peace of Europe to-day seem to be divided into two groups: the one will hear little or no good of the existing League of Nations, and the other will hear no evil of it. The former group includes many of the best minds in Germany; and in all other countries, perhaps especially in England, where extreme pacifists abound, large sections of the Labour and Socialist parties, and many of the old stalwarts of the peace societies, adopt a hostile and severely critical attitude towards the League. On the other side are the enthusiastic members, ever increasing in numbers, of the voluntary societies for the League of Nations, such as the League of Nations Union in this country. The division is not a hard and fast one; there are many old-time pacifists and Labour stalwarts who believe in the future of this League of Nations, and who not only acknowledge the good work that has been done through its machinery, but actively support it. And there are ardent members of the League of Nations Union who are alive to the League's defects. But the division is real and important. And in the view of the present writer

it is unfortunate and unnecessary. How has it come about?

On the one side are those who, years before the war, preached a League of Nations, and were derided as Utopian idealists. Many of these refused to be carried away by the idea of a "war to end war," some even refusing to fight: these were despised and rejected during the war as pacifists and traitors. They do not readily forget that the men who created the League and who support it have most of them preached war, defended it, waged it, and persecuted those who would not have anything to do with it. Was not Lord Robert Cecil himself during the war Minister of Blockade—of that blockade whose continuance after the armistice caused incalculable suffering in Europe? Is not the Covenant of the League, on which it rests, the first chapter of those treaties which have consigned Europe to bankruptcy and misery and utter degradation of body and mind? To many a lifelong peace-worker the League of Nations in its present form, with Germany and the other "enemy" States rigorously excluded at the beginning, with the conquering Allies dominating the Council, seems a mockery of his dreams of European federation—worse than nothing at all. Its supervision of the Saar administration, of the Danzig corridor, of the system of "mandates" under which the former German colonies are held by the victorious Powers, and its solution of the Upper Silesian question, all have seemed to show strong anti-German bias, and suggest that the League is just a clever device for using a more or less world-wide machinery to

put into effect the will of the conquerors. On the other hand, it has failed to check the military adventures of France in the Ruhr and Rhineland, or of Poland, protégé of France and the Allies, in the invasion of Russia, in Eastern Galicia, in Vilna. So the bias is just as clear in what the League has failed to do as in what it has done. "The Allies," writes a critic of the League, "will use it when it gives their decisions some appearance of impartiality, and absolutely ignore it when it might decide against what they consider their interests. . . . Of course the bulk of the representatives on the League honestly desire the League to become an instrument of justice, but the influential do not." The peace of Europe has been imperilled by monthly reparations crises for the last four years. Yet the members of the League, who are pledged to use its machinery in the case of any war or any danger of war, have never insisted on League intervention; as League members, they have merely called one or two economic conferences, which have passed resolutions excellent in themselves, but utterly futile so long as the victorious Powers refuse to consider a rational settlement of the problem of international indebtedness. The victors have preferred to deal with treaty difficulties at special conferences, in which they dominate the proceedings, and from which the spirit of co-operation is always absent. All these special conferences have failed. Finally, many peace-loving Socialists insist that, so long as the Governments composing the League of Nations are dominated by powerful economic interests, by capitalists clamouring for concessions

and rights over the iron, coal, oil and other products of the earth, regardless of the real interests of their own nations or of others, so long must the League of Nations itself reflect and express this spirit of economic imperialism.

These arguments have considerable force. The first is less weighty than the others, for it suggests that pacifists do not believe that men can learn wisdom from experience. When pacifists say that "Those who let us down in 1914 will certainly let us down again if another war crisis comes," they seem to be allowing their own instincts of pugnacity and suspicion to get the better of them. Not so can peace be secured. It is desirable to think the best of every man whatever his past record may be. And if some of the new enthusiasts for the League of Nations seem to have a very superficial notion of what a "League of Nations spirit" means, may not those who have studied the matter all their lives attempt to teach them the way of truth more perfectly?

But if the extreme pacifists are to be blamed for their coldness towards their newly declared allies, those who support the League of Nations are not exempt from blame either. There has been too strong a tendency in the League of Nations Union in this country to keep aloof, to refuse to acknowledge the pioneer work done by men and women of an older generation, and perhaps of a rather different school of thought. There is, in fact, a temperamental difference between the old pacifists and the new. The old school, the Tolstoyans and Quakers, the absolute pacifists, have relied on depth and intensity of

conviction; this intensity was necessary to carry them through the fierce testing-time of war, and to face insults and mockery and loneliness of soul undaunted ; but it has tended to foster a somewhat narrow, almost arrogant outlook, sometimes lacking in tolerance and sweet reasonableness. The supporters of the League are apt to put more emphasis on intellectual tolerance, to recognise the need for compromise amid the complexities of this modern world; 'they are not compelled by an absolute and unshakable conviction that war must under all circumstances be the greatest wrong; they feel, rather, that permanent peace is an immensely desirable good, but that it may not be at once attainable; that nations must advance step by step, and that each step depends on the support of a large section of public opinion. They are perhaps inclined to forget that progress depends not only on numbers, and successful public demonstrations, and broad-mindedness, but that the most potent influence is a sane mind fired by a passionate conviction; that mental balance must be allied with a self-effacing courage that can face not death only, but obloquy, in the cause of a great truth.

Further, some of the supporters of the League seem to be too ready to praise all its works without discrimination. They have suffered the disillusionment that has come to us all. The things they fought for in the war—homes fit for heroes, prosperity, social peace, international peace —have all gone to the bottom; but at least a thing called the League of Nations is still afloat; and if anyone dares to suggest that it is a leaky,

rotten boat, they feel that an attempt is being made to cast aspersions on the only craft they have brought safely to port. Whether the League is really stopping wars or promoting harmony, whether its foundations have been well-laid or not, at least it is called the League of Nations, and a great many nations are members. So why bōther about the details? You cannot expect a League of Nations to be built in perfect form, with full authority, in a day or in five years. First make sure that the infant shall not die, by giving it all the help you can; and then, when it has become strong, it will be time enough to consider what adjustments may be required to bring it to perfect manhood. But metaphors are dangerous; and before supporting an institution one must be sure that it really deserves support: the name alone is not sufficient guarantee.

In the following chapters an attempt is made to estimate, from what I have been able to see and read of the workings of the League during its five years of existence, whether, in spite of its shortcomings, it is worthy of its great name, and also whether its machinery is fitted for the task of rescuing Europe, now on the edge of the abyss. If so, it is of the utmost urgency that all those who really want to rescue Europe should do everything in their power to bring the machinery of the League into action. If not, it is equally urgent to find some other machinery better fitted for the task.

The world is so closely knit together in this age that it is impossible to confine one's attention even to the problems of a single continent; and

the pages that follow include references to conditions in Asia, Africa and America. But, whilst attempting to analyse in greater or less detail all the chief events and departments of the League's action where European interests are primarily concerned, I have made no attempt to discuss the relationship of the League to the other continents. This is not because I fail to recognise the importance of the problems of Africa, of Asia or of the Pacific; but rather because it appears to me that at the present moment Europe is in greatest need of immediate succour. Even so, the task attempted is gigantic, and one who has little first-hand acquaintance with European conditions, and not much inner knowledge of the working of the League machine, may not seem fit to undertake it. On the other hand, the last few years have brought a succession of happy, and in some cases intimate, contacts with intelligent men and women from many countries, with whom it has been possible to exchange opinion and knowledge in an atmosphere of rare candour and mutual regard. And these friendships have served to make the political issues of the day live and burn with human passion, as no newspaper paragraphs or hasty journeys can do. They have deepened the conviction that every man and woman—above all, perhaps, every Englishman and Englishwoman—has a great responsibility and a noble duty to face in helping to remake the shattered world. And these friendships have served a third and a greater purpose; they have kindled a hope, even a conviction, that Europe can be rebuilt, if those who care will trouble to face

the political problems of the day with courage, will probe them to their depths, and will strive to learn and to apply the lessons that need to be learnt.

Many men—and women too—of my generation have endured such agonies of body and soul in the past ten years that they turn wearily from the sordid world of politics to cultivate their gardens or their minds. But the soul of man will not be saved by neglecting politics any more than morality is secured by ignoring vice. We must grapple with the monster until he yields, or until we die fighting. This book is a small contribution to the fight. It is an attempt to do two things: First, to examine the machinery and activity of the League of Nations, to see where and why it has succeeded and where and why it has failed; secondly, to suggest, in no Utopian sense, but with a recognition of actual human weaknesses no less than human strength, what are the true foundations of political morality. I have wished to encourage the idealist to face the awkward facts of everyday life, and to remind the reformer of the principles which he must never neglect if his reforms are to be more than the useless ebb or flow of a perpetual tide.

## II

### THE CONSTITUTION OF THE LEAGUE

IF some kind of international political organisation is to be erected, there are at least three forms it may take. First, a court of justice may be set up to settle all disputes capable of judicial settlement—that is to say, all disputes on questions of fact or law. The Permanent Court of International Justice ~~now~~ established at The Hague is intended to meet this need. It is composed of experienced jurists who, though all of different nationality, are not expected to represent the point of view of their own Government or people. They are supposed to be impartial, even when their own country may be involved. But this is not enough. Disputes quite incapable of judicial settlement often arise between nations, or between their Governments; disputes concerning spheres of interest, trade rivalries, competition in armaments, a vague but intensifying mistrust, often fostered by sinister interests. Such disputes, or conflicts of interest and of emotion, cannot be settled by a judicial award; but they may be resolved or healed in one of two ways: either by some body of conciliators—wise men or women, chosen for their wisdom, their public experience, their broad-minded impartiality, representing what is best in the mind

of the country from which they come, but able also to appreciate the point of view of others, even of opponents—such a body might be formed, and it might recommend modifications in national policy that would pacify the hostile States and heal the breach that was growing up between them. Their proposals would commit no one, and could, from the nature of the case, have no "sanction" other than their inherent reasonableness and the support they might receive from public opinion both in the countries vitally concerned and in the rest of the world.

No such body has yet been appointed to heal the wounds of Europe. The League of Nations, as it exists, is based on an alternative principle, namely, the idea of international co-operation. Instead of appointing wise and just men to conciliate the nations by means of the inherent justice and wisdom of their advice, the nations appoint representatives, delegates, to meet together as ambassadors of their respective Governments, and to arrive, if possible, at an agreed international policy. This arrangement has certain obvious advantages, and other disadvantages. The chief disadvantage is that the League inevitably reflects the policies of the Governments that compose it, and those policies are apt to be very bad. However, that, after all, is a matter for the peoples of the respective countries to rectify. If they think that the League would function better if it modelled its policy on that of the Socialist International or of the Women's International League, they must hurry up and create Parliaments or Governments composed of Socialists or of inter-

national women. But there are also advantages in the present form of the League. First, it represents the actual state of feeling in the member-States. Secondly, its decisions commit the respective Governments; subject to the tiresome process called "ratification," the Governments are bound to support the actions taken, under instructions, by their representatives in the Council or Assembly of the League. Indeed, in some minor respects they even commit themselves to support action taken by majority vote against their own wishes. And there is a second great advantage. The League of Nations, consisting of Government representatives, can not only commit its Governments to accept proposals for the settlement of disputes; it can also commit them to various forms of international co-operation. The League exists not merely to prevent wars, but also to encourage co-operation between States. It is, in fact, a very loose form of world federation. It cannot rightly be regarded as a super-State; it cannot act in defiance of the desires of its members, or of more than a very small minority. It is essentially what the Germans call a Staatenbund, and not a Bundesstaat: "sovereignty" remains with the member-State; it is not transferred to the League. These facts need to be remembered, especially by those who criticise "the League." When the League is criticised for not doing one thing, or for doing some other thing, the criticism is really of the Governments represented at the particular session when the deed was done or left undone, unless, indeed, the criticism is directed at the actual machinery of the League.

as established in the Covenant and since elaborated.

At the same time it must be remembered that the League, being nothing more nor less than the States composing it, cannot be immune from the criticisms directed at its members. If they fail, the League fails; if they use the League machinery to good effect, the League will live. And one other fact must be added. There is such a thing as the "League atmosphere"; and it sometimes happens that a representative is so much impressed by the public opinion he finds around him, that he goes a good deal further towards accepting the "general will" of the League than he first intended to do, and he persuades his Government to modify its policy accordingly. This is one of the League's best features.

Having recognised what is the nature of the League, we can proceed to examine its constitution and activities, first considering the chief criticisms that are levelled at its structure and at the principles on which it is based.

The twenty-six articles of the Covenant of the League have been submitted to the closest scrutiny, and attempts have been made to show that each article contains some menace to the peace and happiness of mankind. On the other hand, the defenders of the League attempt to show that, if a favourable interpretation be put upon each phrase, the Covenant is a noble charter of international peace and liberty. A great deal of this discussion between the critics and defenders of the League Covenant is really of little value. Such a document must inevitably contain much that is

vague and lacking in precision; the broad outline is all that can be provided; details must be left to be worked out in practice. What really matters is not so much the precise legal interpretation of the clauses of the Covenant as the interpretation provided by the practice of the League.

Bearing this in mind, however, we may usefully proceed to consider, in the light of common sense and five years' practice, how far the chief criticisms levelled at the Constitution and Covenant of the League are just.

We are immediately faced by a preliminary criticism. "The League Covenant," say the critics, "is the first chapter of the iniquitous Treaty of Versailles; the League is therefore hopelessly entangled in the Treaty." This criticism can best be viewed in the light of the circumstances in which the Covenant was in fact drafted.

During the first half of 1919 the suffering world waited, with mingled hopes and misgivings, whilst the statesmen deliberated in Paris. Were they laying the foundations of permanent peace, with an all-inclusive League of Nations as the key-stone, or were they trying to satisfy the conflicting demands of the imperialists and the passion for vengeance? To judge from the results, the latter was the process that took place. Or, if they really thought they were laying foundations for permanent peace, the statesmen were even blinder than the masses who consented to their deeds.

But this is not quite all the truth about the making of the treaties. Amongst the delegates of the conquering Powers there were a few men of larger vision, who really cared more about the

peace of the world than about wreaking vengeance on a fallen foe or feathering the nests of imperialist groups. It seems ungracious at the present time to remind the people of Germany that the Treaty of Versailles could have been more vindictive than it was. Nevertheless, everyone knows that there were some statesmen in Paris who wanted to give the whole of Upper Silesia to Poland without even the formality of a plebiscite; who wanted to annex the Saar district to France for ever; who even hoped there and then to make the Rhine the frontier between France and Germany; and who wanted to establish an Allied army of occupation, as well as the army of reparation commissioners, in Berlin. And some of them still believe that all the sorrows with which Europe has since been afflicted have been due to the rejection of their proposals. Again, Italy did not get quite all the territory she had bargained for. Nor did Greece, nor Belgium.

But whilst the more enlightened men only gained small victories in these fields, the foundation of a League of Nations was left almost entirely in their hands. And President Wilson, being a professor of political science, seems to have felt that this was more important than anything else. The Paris "realists" cared only about their pound of flesh; if Wilson, Smuts, Cecil and the rest liked to attach a League of Nations Covenant to the Treaty, as a sop to the pacifists, that was quite in accordance with the solemn protestations of goodwill with which most treaties have opened; though, to do them justice, the "realists" would have been quite content to have their treaties without a pious intro-

duction. Perhaps they disliked the pious introduction, not only because of their honesty, but because they realised that, however ineffective a League of Nations set up under such treaties must be at first, it might after all, with the backing of public opinion, cast off the chains that bound it to the treaties and even revise those treaties themselves.

On the other side, Wilson and his friends seem to have calculated that, however many faults there might be in the treaties, the passions of war-time would soon cool down, and the League would then be a piece of machinery ready to hand for laying a more solid foundation to the political structure of human society. In spite of the protests of Mr. Keynes and a few other economists, they do not seem to have realised that the economic sections of the treaties, combined with the new frontiers, would very nearly knock the bottom clean out of the European political structure. The fabric was to be so rudely shaken by the treaties that it might collapse altogether before the machinery of the League could be brought into action. It is a pity that President Wilson was not a professor of political economy.

Whatever the mental processes of the Big Four may have been, the important fact remains that the men who were chiefly responsible for the treaties as a whole were not responsible in the same sense for the Covenant of the League, so that it need not be regarded with quite the same hostile eye with which one tries to pierce the innocent surface of some other clauses of the treaties. At the same time it must be admitted that the League finds itself embarrassed by its close associa-

tion with the treaties. Those who detest them can hardly avoid being suspicious of the League; and if the League suggests revising the treaties, a thing it has a perfect right to do under Article 19, it seems to be calling in question the act to which it owes its existence. The League had by the end of 1923 been instrumental in revising the reparations chapters of the treaties with Austria, Bulgaria and Hungary; this is all to the good; but the reparations chapter of the Treaty of Versailles, which is the source of most modern European evils, still stands, impervious to the occasional valiant assaults of M. Branting, Dr. Nansen and some other League champions. And there are probably other treaty sores, apart from reparations, that call for the healing touch of a fair-minded League.

What are the chief criticisms directed against the articles of the Covenant? Signor Nitti, the former Italian Premier, who has a poor opinion of the League, thinks it cannot function properly until Articles 5 and 10 are changed. Article 5 provides that the decisions of the League shall not normally be effective unless all the States present agree. This, it is contended, makes it almost impossible for decisions to be reached on important matters. What has been the effect of this rule hitherto? Normally, if a few States in the League Assembly show themselves recalcitrant, the rest do their utmost to meet the point of view of the minority, and so an agreement—generally something of a compromise—is reached which is acceptable to all States, and none are left to go away with a grievance. States that find themselves in

a minority of one or two in the League are usually so uncomfortable that they either give way or refrain from voting.<sup>1</sup> One of the curses of representative democracy in most countries is that the majority rules and the minority is apt to rebel. If that happened in the League it would speedily collapse altogether; States that found themselves outvoted would refrain from attending, and would refuse to ratify the agreements demanded by the majority.

Again, there are various exceptions to the rule of unanimity. Questions of procedure and appointment of committees of investigation are decided by a bare majority, whilst new members are admitted by a two-thirds majority of the Assembly; decisions in the case of disputes between States are taken without regard to the votes of the parties to the dispute; and in some matters it has been decided that if a certain number of States agree to act the agreement shall be binding as between those States that agree; and if the action proves advantageous, other States will gradually come into line. Thus, the compulsory jurisdiction of the International Court of Justice applies between any States that accept it for themselves—at present only a few; and certain resolutions, agreed upon

<sup>1</sup> Thus, in the admission of certain States to the League, e.g. Bulgaria, several States intentionally refrained from voting, but none actually voted against. In the Assembly of 1921, when the French objected to action proposed for combating the traffic in women and children, only 29 States voted for the proposal, 22 being absent or abstaining. If the 22, or more of them, had voted against the proposal, even with a two-thirds or three-quarters majority rule it would have been defeated; as it was, it came into force.

without dissent, come into operation as soon as a specified number of ratifications have taken place. Such<sup>\*</sup> arrangements might well be extended.<sup>1</sup>

By Article 11 of the Covenant "it is declared to be the friendly right of each member of the League to bring to the attention of the Assembly or the Council any circumstance whatever affecting international relations which threatens to disturb international peace or the good understanding between nations upon which peace depends." And Article 15 of the Covenant provides that in such a case, if the Council fails to reach an agreed solution, it shall, "either unanimously *or by a majority vote*, make and publish a report containing a statement of the facts of the dispute and the recommendations which are just and deemed proper in regard thereto. *Any member* of the League represented on the Council may make public a statement of the facts of the dispute and of its conclusions regarding the same."

In fact, it seems clear that, in the case of disputes, the rule of unanimity only begins to apply as soon as some action on the part of the whole League is proposed. Here, and elsewhere, the rule of unanimity comes into play so as to prevent action being forced by a majority on an unwilling minority. The force of opinion within each country, and in the world at large, can be rallied in support of the proposals made by the majority. This is much more likely to influence a powerful Government than any threat of coercion. In fact, the evils of the unanimity rule

\* The provision that certain matters may be decided by a two-thirds or three-quarters majority of the Assembly,

have not proved serious, and it has important advantages.

Article 10 has been the cause of so much discussion that it must be quoted verbatim. It reads : "The members of the League undertake to respect and preserve as against external aggression the territorial integrity and existing political independence of all members of the League. In case of any such aggression, or in case of any threat or danger of such aggression, the Council shall advise upon the means by which this obligation shall be fulfilled." The essential point in this article is the phrase "as against external aggression." Article 10 does not guarantee States against internal revolution, nor does it guarantee their frontiers and their independence for all time and under all circumstances. States are merely to be protected against *external aggression*. If one State has a grievance against another, it must bring the matter to the League, or to the Court of International Justice, or submit it to arbitration. Articles 12 to 17 make thorough provision for the pacific settlement of international disputes by one or other of these methods. If any State refuses to have its case dealt with by arbitration, by conciliation or by international justice, and, taking the law into its own hands, wages war upon its neighbour, it is declared the public enemy of the League.

If the refusal of the United States of America *but only if it includes all members of the Council*, does not seem to have much justification. The members of the Council have quite enough weight—too much perhaps—without this provision.

to enter the League is due to their fear that they would be guaranteeing for ever the dubious frontiers of Poland, Czecho-Slovakia and Chili, then the sooner Article 10 is translated into simple American and published broadcast over the United States the better for the world.

The truth is that, in spite of its aggressive sound, Article 10 is the least effective part of the whole Covenant. It does not indicate how the members of the League are to "respect and preserve" the "integrity and independence" of their fellow-members against external attack. What would apparently happen if one State suddenly invaded the territory of another would be this: The Council of the League would be summoned to meet (delay of several days); it would then discuss which State had in fact violated the Covenant. If it was unanimous on this point, it could then decree a blockade of the guilty State, and send requests for military aid against the peace-breaker. Meanwhile the invaded country might have been ruined. As a matter of fact, of course, no conceivable arrangement, except disarmament and international goodwill, can guarantee a State against modern war-planes and poison gases. It is hardly to be wondered that the French have refused to regard Article 10 as an adequate guarantee. In so doing they have shown a much truer insight into the meaning of words than the American critics who thought Article 10 would commit them to endless military adventures all over the world. Nevertheless, if the Americans want Article 10 to go, there is no reason to keep it. All it says is that if a war breaks out any-

where, something must be done about it. This is repeated in Article 11, and arrangements are made in subsequent articles, as described above, for concerting action in such emergencies. Article 10 is, in fact, an ineffective and noisy way of saying what is said with a good deal more care and precision in subsequent sections of the Covenant.

Other criticisms of the Covenant have been formulated. The Article (26) that provides for its amendment has already been much improved. As originally drafted, it did not indicate whether amendments must be voted unanimously, whether they could be made by the Council, by the Assembly or by both, and no time-limit was fixed for ratifications. It is now declared that amendments must receive a three-fourths majority of the members of the Assembly taking part in the vote, including all the members of the Council present at the meeting, and they will become effective if ratified within twenty-two months by those members of the Council and the majority of the members of the Assembly who voted for the amendment. Thereafter, any State refusing to accept the amendment will cease to be a member of the League.<sup>1</sup>

Article 21, concerning the continued validity of "regional understandings, like the Monroe Doctrine, for securing the maintenance of peace," seems to be interpreted by the members of the Little Entente, Czecho-Slovakia, Jugo-Slavia and Rumania, and perhaps by other States, as sanction-

<sup>1</sup> So far States have been very dilatory in ratifying amendments; and this very amendment has not yet been ratified by the necessary number of States (October, 1923).

ing military defensive treaties. The only avowed purpose of the article was to encourage the United States to enter the League; and as it has failed to do that, it might well be dispensed with altogether, and an article added to the effect that all military defensive treaties be regarded as contrary to the spirit of the League.

At the first Assembly (November—December 1920) the Argentine Government proposed that Article 1 should be so amended that any State desiring to become a member could do so automatically. At present a State can only become a member if the Assembly decides that the applying State has given "effective guarantees of its sincere intention to observe its international obligations," and if the applicant declares that it is ready to accept "such regulations as may be prescribed by the League in regard to its military, naval and air forces and armaments." Two processes must be gone through. First, a commission of the League decides whether these conditions are fulfilled; secondly, two-thirds of the members voting must vote in favour of the applicant. In practice, twelve States have been admitted, and about a dozen States have been refused admission.<sup>1</sup> The grounds given for refusing admission have been two; Iceland, Lichtenstein and some other tiny principalities were refused admission on the ground that their populations were so small (and their economic resources so unimportant?) that they could not be admitted to full equality with the other members. This seems a reasonable

<sup>1</sup> The three Baltic States, refused admission in 1920 but admitted in 1921, are included in both lists.

ground of refusal, but it is not mentioned in the Covenant of the League, which declares (Article 1) that "*any* self-governing State, dominion or colony . . . may become a member" if the two conditions already mentioned are fulfilled. The Baltic and Caucasian States were refused admission in 1920 because their position as fully self-governing States was still doubtful. The Baltic States were admitted in 1921. No State has hitherto been refused admission on the ground of having failed to fulfil its international obligations. In fact, no unfavourable report has been received by the Assembly concerning a State's international obligations. Hungary was unanimously admitted in 1922, although several of her neighbours had strong suspicions that her army had not been reduced in accordance with the Treaty of Trianon.

To return from these examples of what has so far been the practice of the League to the principle of the Argentine proposal. At the Assembly of 1922 M. Gabriel Hanotaux, the grey and grim delegate of France, insisted that the foundation upon which the League rested was absolute loyalty of all its members to their treaty obligations. He did not proceed to specify any States which did or did not carry out their international obligations. Everyone knew quite well that he intended it to be understood that France could not approve of the election of Germany to the League whilst she failed to fulfil the terms of the Treaty of Versailles. Germany, trying in vain to fulfil impossible obligations under a treaty dictated to her when she was disarmed and humiliated, was to be regarded as the moral inferior of some fifty other States, all

of whom have frequently broken their pledges—if they have lived long enough to make any—and especially with France and England, who had already violated the Treaty of Versailles by an unwarranted occupation of German cities, to be followed a few months later by the crowning international crime of the French and Belgian occupation of the Ruhr, a measure scarcely warranted by the Treaty of Versailles and wholly contrary to all other international law. And was not this Treaty itself a wholesale violation of the armistice terms under which Germany had agreed to cease hostilities?

So long as this clause remains in Article 1 of the Covenant it is likely to give occasion for hypocrisy—or for self-deception, which is much the same thing.

And in fact it is much better that States that do not pay respect to their international obligations should be inside the League, and not outside. For the Covenant provides regular means of dealing with any member that fails in this respect. It has no authority over a non-member, which can only be dealt with by measures that tend to destroy the fabric of civilisation. Such measures may be preferred by a few wild militarists, but they promote war, not peace. Rather than seeking to exclude from membership States which do not fulfil their international obligations, the League should therefore do everything possible to bring them into membership, and under the control of the world's public opinion. At the present moment the League is seriously hampered in its attempt to suppress the opium traffic, because Turkey is not a member;

it cannot suppress slavery in Africa, because Abyssinia is not a member; <sup>1</sup> it cannot settle the reparations dispute, or provide "security" to France and Germany, because Germany is not a member. The idea that any State can be thrust into outer darkness until it shows a spirit of meekness is a childish relic of mediæval superstition. The only way to get States to behave themselves well is to bring them into the closest possible association. Every State should therefore be welcomed into the League as soon as it can be induced to join. The provision making it difficult for States to get out of the League is a good one. That which makes it difficult to get in is bad. Article I might be so amended as to encourage all States to join the League, provided the members of the League are satisfied that the State applying for membership is truly self-governing; very small States could be admitted to some kind of associate membership.

In the preceding pages several proposals for the amendment of the Covenant have been approved; and there may be other respects in which it should be amplified or stiffened up from time to time. But it cannot be said that changes are urgent. For the Covenant is the servant of the League, not its master. Narrow legalist interpretations of its clauses have not hitherto been popular in Geneva. The spirit of the Covenant, not its letter, is what matters. Americans, who know to their cost how important the legal interpretation of every word of their constitution may be, naturally examine the Covenant of the League

<sup>1</sup> Abyssinia was admitted in September, 1923.

very closely, wondering what the legal interpretation of this or that word or clause may prove to be. But the League has so far been shaped largely by zealous Anglo-Saxons of the Old World, from a country that has no written constitution, where practical issues loom larger than legal formulæ. It is better to have a rather vaguely worded Covenant, capable of adaptation to the ever-varying needs of an ever-changing world, than to attempt to bind the nations into a fixed constitutional framework, which may seem perfect to-day, but which will hamper progress to-morrow.

The more important verbal criticisms of the Covenant have been discussed in the preceding pages ;<sup>1</sup> but the gravest charges against the League, already indicated in the introductory chapter, remain to be considered. The first is, that the composition of the Council is highly unsatisfactory. As laid down in the Covenant, the Council was to consist of five permanent members and four members elected from the Assembly. The former were the United States of America, France, Italy, Japan and Great Britain ; the latter, until the first Assembly, Belgium, Brazil, Greece and Spain. The United States has never occupied her seat, and Greece, having substituted King Constantine for M. Venizelos, was ejected in favour of China by the first Assembly. The second Assembly (September, 1921) re-elected Belgium, Brazil, Spain and China, and they were again re-

<sup>1</sup> An interesting paper by Mr. F. N. Keen on " Revision of the Covenant " was read before the International Law Association in 1920. Time has shown that some of his proposals have been met without actual revision.

elected in September, 1922. But at the third Assembly (1922) it was decided, in agreement with the Council, that the size of the Council should be increased, and two additional temporary members should be elected.<sup>1</sup> Uruguay and Sweden were the two States chosen. In 1923 Czechoslovakia was elected instead of China. From all this it becomes evident that the "principal Allied Powers" and their supporters have so far been in a position to dominate the Council; only a minority of the smaller States represented on the Council could be expected to view the great questions left by the war impartially, and their voices would hardly carry much weight. It is true, of course, that in all important matters any one member of the Council can veto decisions. But in most matters the weak minority is apt to give way; and however clear the unanimity rule may be, it is inevitable that a strong group in a small body must tend to mould policy largely in accordance with its will. Otherwise the Council would cease to function altogether. The "neutral" members of the Council have, no doubt, had some influence, but chiefly of a negative character.

The election of Uruguay and Sweden in September, 1922, is important. Uruguay is apparently the most pacific of the South American States. Sweden has been represented so far by her Socialist leader, M. Branting, who brings to the Council of the League something of that fine international spirit which has marked all the

<sup>1</sup> The method of electing these temporary members is still unsettled.

Scandinavian countries for a generation, as shown, for instance, by the separation of Norway from Sweden without war in 1905, by the treaty of separation and friendship accorded by Denmark to Iceland in 1916, and by the loyal acceptance by Sweden of the League's decision in the Aaland Islands case in 1920. The Little Entente nations—especially Jugo-Slavia and Czecho-Slovakia—had calculated that one or other of them would be elected. But the Assembly decided otherwise, and the decision is significant of the growing strength of "neutral" opinion in the League.

This is not all. In recommending the Assembly to elect two additional members the Council pointed out that the permanent and elected members should be about equal in number; for the moment the addition of two elected members would upset the balance; but this would probably soon be restored by the addition of other permanent members. What does this mean? The only claimants one can reasonably imagine for permanent membership are Germany and Russia, apart from the United States. This action of the Council suggests, therefore, that the addition of Germany as a permanent member of the Council was confidently anticipated in September, 1922. Unhappily events did not take this course. The election of Czecho-Slovakia in place of China in September, 1923, has evidently strengthened the anti-German forces in the Council. But it has also strengthened the Council. The great Chinese nation, in its present political chaos, carries no weight with the rulers of this world, and its representative, since the early days of Dr. Koo, seems

## THE CONSTITUTION OF THE LEAGUE 37

to have had no great force of character. Dr. Beneš, the Foreign Minister of Czecho-Slovakia, will bring to the Council the energy of youth and of forceful initiative ; and he is likely to use his influence towards strengthening the prestige of the Council and towards finding a solution of the reparations question—if he can do so without offending France. The presence of Czecho-Slovakia as well as Belgium on the Council may make it easier for the French Government to acquiesce in the admission of Germany.

Some critics would like to abolish the Council altogether. But this seems hardly practicable. Sixty nations cannot well send their delegates to a permanent session, or even to a six-months' session, or to five or six short sessions in the year, from all over the world to one place. And a small executive is required for many purposes in all systems of government.

Another suggestion is that there should be no permanent members of the Council ; that it should be left to the wisdom of the Assembly to elect those who consider themselves "Great Powers," and who would be insulted and angry if they were omitted. The Assembly would be almost certain to show this degree of wisdom ; but the reform, though in appearance a step towards democracy, would make scarcely any difference to the present composition of the Council. In other words, it seems to be a desirable reform, but not urgent. The present balance in authority between the Council and the Assembly seems to work very fairly ; once the Council is so composed as to represent all the great political forces in the world,

the present arrangement will probably prove about as good as any that could be devised.

The Council, in fact, will be satisfactory for all immediate purposes as soon as the United States, Germany and Russia are included in its membership. The United States can take its seat at any time. It seems probable that Germany, if she had decided that the League were worth joining, could have obtained election to the Council almost any time during the last fifteen months or more. The position of Russia is different. But even in her case, it is probably true to say that the Russian Government dislikes the League, in spite of Dr. Nansen's activities, far more than many members of the League hate the Soviet form of government.

The ideal Council for the present condition of the world would probably consist, first of the Great Powers—the United States, Russia, Germany, Japan, France, Italy and Great Britain ; and of seven or eight elected members, including two more from Asia, one at least a largely Muhammadan State (say China or Persia and Turkey or India), one or two from South or Central America (perhaps Brazil or the Argentine and Haiti), two or three from Europe (one Scandinavian, at least one Central European or Balkan State, and one of the other " neutrals"—Spain, Holland or Switzerland) ; and if possible one from Africa or perhaps a British Dominion. A Council of fifteen ought not to be too large.

Again, there are those who say that the present League is a League of Governments, not of peoples. The inevitable reply to this is that a League, to

be effective, must represent the effective governing bodies in the member-States. If a nation were to elect its representatives to the League in a different way from that by which the executive government is appointed, so that the views of the representative in the League were occasionally in conflict with those of the executive government, the only consequence would be that the Government would refuse to ratify the decisions of the League, which would thus be paralysed.

By way of illustration we may note the case of India. One of the curious anomalies of the present League is that India, though certainly not a self-governing State, is an original member. Some critics have suggested that the British Government arranged this in order to have an extra vote. Whether that is so or not, the representation of India can be defended on administrative grounds. If the attitude of the Indian Government to the policy of the League could be ascertained only through the British representative, who might not be in close touch with the Indian Government, awkward situations would often arise. But it would be still more awkward if the representative of India in the League were Mr. Gandhi, who, though he might be the best representative of the people of India, would have even less authority over the present Indian Government. And the same applies in other cases. Whether the existing authority in each State happens to represent the feelings of the inhabitants or not, and whether the States represent "nations" or not, it is Governments, not nations, that must be represented in the League.

But those who criticise the League because it

represents Governments and not peoples seem to have another idea in their minds ; they believe that Governments are at present too much at the mercy of certain financial and capitalistic groups, whose "hidden hand" is far more effective than millions of votes ; and they feel that the League as at present constituted is likely to be controlled or gravely influenced in its decisions by the same interests. It is, in fact, an attack on the whole modern system of government. The present League is thought to be a perpetuation on a greater scale of a gross political scandal. That such interests do exist, and that they wield enormous influence, cannot for a moment be doubted, though their influence, great as it is, may sometimes be exaggerated ; but it is doubtful whether any reform of the Constitution of the League could destroy this evil. It must first be dealt with by each State within its own borders. It might also be possible, through one or more of the sectional organs of the League—especially the economic organisation and the mandates commission—to constitute machinery for regulating the economic exploitation of undeveloped regions of the earth. This should be one of the chief purposes of the system of government by "mandate," as it is called, established under Article 22 of the League Covenant, for the control of former German and Turkish imperial possessions. Whether the system is satisfactory in this and in other respects cannot be discussed at this point.

Although each State in the Council of the League is represented by one member only, who must inevitably be in close touch with his Government,

in the Assembly each State may have three representatives, only one of whom, the voting member, need represent the Government. The manifest intention is that the other two should represent "minorities," or should, at least, be quite independent of Government influence. No regulation, however, has been laid down on this subject, and it would be extremely difficult to frame one that would ensure the appointment from all countries of enlightened, independent, public-spirited men and women, who are above being influenced by financial or other private interests. Nevertheless, at each of the three Assemblies already held several Governments have been sufficiently enlightened to appoint such men, and they have had a large share in shaping the League in its first years. Judging from what the writer saw of the Assembly of 1922, he would hazard the opinion that the decisions of that body are amazingly little influenced by the kind of underground interest that is feared. The same can hardly be said with confidence of the Council of the League.

A final, and perhaps still more fundamental, criticism of the League must also be faced. There are some people who assert that the League is not an organic body, that it does not represent any real demand, or any living idea, among the masses of people in the world. Strangely enough this criticism comes from two opposite quarters. Ardent nationalists think the League is a foolish chimera, an impracticable ideal, invented by people whose heads are in the clouds and who cannot see that the world is a place of harsh discords

and strong local patriotisms ; on the other side, some of those who are sick of the vain authority of States and Governments, and tired of the clamant declamations of party leaders, think the world has yet a long journey to take before it can establish a "world order" of justice and peace. They see the common people of the world, oppressed with toil, stunted in imagination, unable to raise their thoughts above the problems of daily bread and family life. They are capable of heroic sacrifice for wife or child, and of astonishing generosity towards neighbours ; but the "foreigner," even of their own race and tongue, is an object of suspicion and mistrust, and the real foreigners—men of other races and tongues—are all rogues and villains and natural enemies. The peasant wars against the townsman, and the artisan despises the peasant ; both hate their overlords, and their overlords hate them ; while the middle-classes, especially the intellectuals, are impossible people, living in an incomprehensible world of their own. All this does not apply to individuals, who are generally ready to show kindness to any fellow-man ; but evil mob passions easily get the better of the natural kindness of the individual. How can a genuine League of Nations exist on such a basis? If we want a real League, we must begin with the foundations and build upwards. The peasant must learn that the townsman is his neighbour ; the artisan must learn to understand the shopkeeper and the professor, and vice versa. All must learn the difficulties and responsibilities of social organisation by actual experience of self-government.

Small communities must function before great ones can live. Citizenship that consists in the occasional casting of a vote for an unknown man whose talk has little relationship to the problems of everyday life, and whose whole mental outlook is unlike that of his constituents, has little value. Neither the almighty State of modern times nor the new-fangled League of Nations has a real relationship to common human life. It is the expression of an idea understood by the few, and imposed on the many.

There is force in this argument; but it is not really a sufficient ground for refusing to support the existing League of Nations. It reveals the inevitable weakness of the League, but it does not show that the world would be better without a League at all. The world is in a stage of political transition. There is increasing discontent with political authority, and a growing desire among men and women for opportunities to share in political action—often with deplorably little recognition of the weight of responsibility such participation brings. Whether the world can pass from a political structure based on authority to one based on active consent and real co-operation without the collapse of the whole edifice remains to be seen. It seems doubtful. But at least it is certain that a large measure of authority is still required. If the State were abolished to-day, we should relapse into fist-rule and anarchy; and the League of Nations, similarly, is a first attempt to rescue the world from the international anarchy which has caused such confusion since the discoveries of steam and

electricity. We cannot allow the anarchy to continue unchecked until the whole human race has a real sense of international solidarity.

There is still better justification for the League than this. Every human being has within him a profound sense of pity for every other, and even of unity with him. Civilisation has obscured this instinct, but it is more fundamental than the passionate mob hatreds and patriotic fervours that have been fostered. Bring a French or English man or woman, full of the hatred and bitterness instilled by the war, into intimate personal contact with a suffering German child, and the consuming passion of hate is swallowed up in an ocean of human tenderness. This is the spirit which the very existence of a League of Nations tends to release and to foster.

Social evils must be attacked from both ends at once. We must teach and learn a fuller sense of duty to our neighbour, remembering that the neighbour is often, as in Christ's parable, a member of a class or nation we despise or hate. Simultaneously, we must strive to perfect the framework of society in such a way that the neighbourliness of peoples and of nations can find ever stronger and deeper expression.

### III

## USEFUL WORK

IN one or two of the more modern treatises on international law a section is devoted to international unions for "non-political" purposes. These unions are all of recent growth, and represent one of the great effects of the revolution in communications that took place during the nineteenth century. As the whole world was brought into ever closer contact by railways, by steamships, by telegraphy and by wireless telegraphy, it was found increasingly necessary, in the interests of communications themselves, of commerce, and of public health and morality, to devise machinery on an international scale for dealing with all these matters. Thus the Universal Postal Union, with its office at Berne, brought uniformity of postal regulations for almost all the earth ; the International Institute of Agriculture at Rome collected and disseminated information of the condition of world crops and the latest scientific researches concerning plant diseases ; Governments entered into agreements for regulating traffic by land and sea, including the famous S.O.S. regulation ; for preventing the spread of disease by quarantine regulations ; for combating the white-slave traffic,

the opium traffic, and the traffic in chattel slaves ; for protecting workers in certain trades against dangerous processes, and for other useful purposes. Indeed, without considering the enormous number of voluntary international associations, one may fairly say that government administration was becoming rapidly internationalised at the beginning of the twentieth century ; only in the matters of economic exploitation of the world's resources, of political frontiers and a few kindred matters —above all, perhaps, in political thought—the doctrine of State Sovereignty still reigned supreme.

When the League of Nations was created in 1919 the idea of State Sovereignty had become so intensified by the war and the propaganda of nationalism that the possibilities of international political co-operation had been greatly reduced. It was necessary for the League to find something to occupy itself with while the passions of war were cooling, until such time as real international co-operation in the political sphere might again be possible. Some of those who were instrumental in creating the idea and structure of the League recognised this, and provided by Articles 23, 24 and 25 that the League should endeavour to improve social conditions throughout the world, to facilitate international communication, to assist some of the international bureaux already mentioned, and in particular to help Red Cross organisations in preventing diseases and mitigating suffering. And this was good in itself. For, as General Smuts and others pointed out, a body that did useful constructive work would

receive much more moral support than one whose sole task was the settlement of international disputes.

Accordingly, the League immediately set to work to rescue some of those numbers of human beings who were in great straits as a result of the war, and whose assistance would not rouse the evil passions of the conquering belligerents. Following revolution and economic collapse, some of the Central and East-European Governments were unable to help the prisoners of war who were left in their territories ; many thousands died of disease, but the League came to the rescue of those who remained, and in two years restored nearly half a million prisoners and others to their homes, at a cost of less than £1 a head—though many had to be brought across Siberia and America, and others round by the Baltic or through Constantinople. It is recorded that the last transport that left the Black Sea brought Germans, Hungarians, Czecho-Slovaks, Austrians, Rumanians, Poles, Jugo-Slavs, British, Italians, Belgians, Swiss and Bulgarians, including a number of women and children. This work was done by a small organisation under the energetic leadership of Dr. Nansen, the great Norwegian explorer and statesman. The International Committee of the Red Cross, whose headquarters are in Switzerland, gave a great deal of assistance ; this is in accordance with the general principle that the League, in all its undertakings, works through existing organisations in so far as they are in a position to do the work required.

It is just possible that, if the League had not

existed, the same result might have been achieved by some special inter-Allied Commission ; but it seems very doubtful whether some of the Governments whose co-operation was needed would have been willing to assist any but a largely neutral organisation..

This led on to a great effort to help the Russian *émigrés*—over three-quarters of a million—who had fled from Russia at the time of the Revolution in 1917 and were scattered all over Europe and Asia ; many had been supported by various Governments for three years, but some wished to be repatriated, or else they wanted assistance towards finding settled employment. In this case it took the League some time to persuade all the Governments concerned to act ; but in the end a great deal has been done for these people. Dr. Nansen again took control of the work in the first instance, but after his efforts to check the famine had brought him into close contact with the Soviet Government many of the Russian refugees seem to have distrusted him as a pro-Bolshevik, so the work was temporarily taken over by Sir Samuel Hoare at the beginning of 1922, and Dr. Nansen was able to give his undivided attention to the urgent needs of Russia. At the end of 1922 it was reported that no refugees had been repatriated, though a few thousand had returned to Russia at their own risk ; the guarantees demanded from the Soviet Government appear to have been rather more than a sovereign State will tolerate. A number of refugees had, however, been properly settled in various countries, by agreement with the Governments concerned,

and an effort is being made to provide them with both general and professional education. In 1923 the work was continued, and in spite of the extraordinary situation in Constantinople, many Russians have been successfully evacuated from that city to Siberia, Bulgaria, the United States and Canada ; others, from Athens, Bulgaria and elsewhere, have returned to Russia ; and numbers of those in Rumania and Poland, and in China and Japan, are also being evacuated to countries willing to receive them. Special efforts are being made to help the Russian refugee children, whose number is estimated at 400,000, scattered about Europe, most of them totally unprovided for. Dr. Nansen has again taken full control of the work, and is carrying it through in spite of all obstacles, political and financial.

In 1921 the drought which caused the failure of the rich crops in South Russia and the Ukraine seemed to be a symbol of Nature's approval of the folly and wickedness of men, by whom the Russian people, already fearfully reduced by war casualties, misgovernment and revolution, had been blockaded to starvation point.

In dealing with the Russian famine the League of Nations largely failed, owing to the refusal of the Allied and other Governments to give financial support to the relief scheme urged upon them by Dr. Nansen at the League Assembly of September, 1921. The Assembly did indeed encourage Dr. Nansen to act, and he was able, during the autumn and winter (1921-1922), to raise considerable funds from generous people ; when it was too late to prevent the disaster, several

Governments also provided small amounts of money or food, some of it bad. The funds were largely administered by the American Relief Administration and the Friends' (Quakers) Relief Committee, and less than one per cent. of all the provisions failed to reach the famine victims. Suspicions of the honesty of the Soviet Government and its agents, which were given as the chief reason for withholding Government grants, proved quite groundless ; and those Englishmen who were responsible for the relief work in Russia seem to agree that the Soviet Government did all that could have been expected for the famine victims. But the failure of the League in this effort—in so far as it did fail—illustrates a fact which is often overlooked by its critics. The League, not being a super-State, cannot demand funds from its members for specific purposes. Each Government contributes a quota towards the ordinary budget of the League—expenses of the Secretariat, etc. ; but when special funds are needed the League depends entirely on the goodwill of the several Governments. The Governments are responsible for the failure to save the Russians from starvation. There was no failure in the machinery of the League. Indeed, considering how little support was received from the Governments, it is really remarkable how much the League and the voluntary societies did.

The indefatigable Dr. Nansen persuaded the League Assembly of 1922 to support him in an effort to rescue the refugees who were fleeing or being driven from Asia Minor and Constantinople after the military successes of the Turks. For

this work some of the Governments quickly provided funds ; and it is being vigorously carried on. The assisted refugees, whose number has been computed at a million and a quarter, mostly women and children, include many Muslims as well as Christians. Their plight was as pitiful as that of the other populations mentioned ; typhus broke out among them, they were absolutely destitute, and the funds provided by States-members of the League in the first instance were very small. But supplies of flour arrived early in 1923 from Balkan and other Mediterranean countries, thereby saving a great proportion of the sufferers from death. American and other relief agencies got to work very early. In July, 1923, the Council of the League approved a plan for raising a loan to enable the Greek Government to carry through a great land settlement scheme, which, it is estimated, will increase the productiveness of Greece by 25 per cent. The Bank of England granted the National Bank of Greece a preliminary advance of a million pounds while the loan was negotiated. At the 1923 Assembly (September) M. Politis, the Greek representative, reported that 11,000 refugees had already been settled in Western Thrace. In spite of the conflict with Italy and the recurring political crises in Greece, it may be hoped that this work will be carried through successfully.

In some quarters an attempt has been made to belittle Dr. Nansen's work, and to suggest that his relief agencies are rather superficial or inefficient. Possibly in one or two instances they have fallen short of perfection. It would be surprising

if it were not so. But it is doubtful whether the responsibility for any such failure can be brought home to Dr. Nansen himself ; the facts show that enormous good has been done, and done very cheaply and quickly, by the League Commissions over which he has presided ; and the criticisms may safely be dismissed as typical of what happens to any courageous man who, sometimes in the face of popular prejudice, acts energetically and speaks frankly.

One of the most useful of the League's "technical organisations" is the Health Organisation. Health seems to come before politics in every State, so that Germany has for some time been actively participating in the work, the Russian Government took a useful part in the League's Conference at Warsaw in the spring of 1922 and in subsequent work and early in 1923 an American expert was invited to co-operate. In view of the frightful diseases that were scourging Eastern Europe at the end of the war, the Health Organisation's first task was to try to check these plagues. One of its sections has hitherto devoted its chief efforts to this work. It has been carried out in close co-operation with the Health Commissariat of the Russian Soviet Government and with the Soviet Government of the Ukraine as well as with the Polish and other Governments. An effective "sanitary cordon" was drawn which has preserved Central and Western Europe from the fearful epidemics of typhus, relapsing fever, cholera, and other diseases that were devastating Russia and Poland and other countries ; and although this cordon was severely menaced by the

refugees from the famine areas in the early months of 1922, yet the work done under League supervision was so good that by the end of the year, in spite of the continuance of famine conditions over large areas, the cordon was fully re-established, and in most districts the epidemics were apparently decreasing.<sup>1</sup> But, lest even such a guarded statement as this might lead some superficial optimists to suppose that all is well, and that the happier western world, which has given little enough heed already to the tragedy of East Europe, may now give no heed at all, let the following statement of Professor Tarassevich, written in the League's *Epidemiological Intelligence* for October, 1922, be read by all who have minds to understand: "Particular stress must be laid on the fact that it is impossible to eradicate the epidemics without first fighting the famine. As long as the famine exists,

<sup>1</sup> I do not wish to overlook any inefficiency that may sometimes occur, and I have reason to believe that the following story is true. A unit of one of the voluntary committees combating typhus in Poland came to a village where the villagers tried to pay them to go away without carrying through their de-lousing operations. The unit, of course, refused. They then discovered that a Polish Government unit had recently been in the same part of the country and one village which had been de-loused had also been freely despoiled of its goods by the unit; so the next village had paid the Government unit to go away without either de-lousing or despoiling. Doubtless the unit reported to the Polish Government that it had done its work, and doubtless the League of Nations, which has worked partly (not wholly) through Polish Government units, accepted the Polish report; but if this sort of thing happened very often, the sanitary cordon would have broken down: so it may be assumed to be infrequent.

epidemics will continue, only perhaps changing their form ; one epidemic whose devastating force has become exhausted through biological causes (such as immunisation of almost all the population) will give place to another, but that is all." The people have insufficient nourishment ; they are short of soap and linen ; they lack fuel ; they are overcrowded in the towns ; sanitary and medical appliances are inadequate ; the water supply and the drainage system have deteriorated. During the last twelve months the situation has materially improved, but the misery is still far greater than the world seems to realise. And all these things could be overcome in a comparatively short time but for political prejudice and the selfishness of certain economic interests—forces which, unhappily, neither the sentiment of goodwill that exists in the world nor the machinery of the League of Nations is strong enough to overcome.

It is not relief alone that the League and the voluntary organisations have supplied : tractors have been provided for ploughing the country where the horses have been killed and eaten ; new seed has been provided for the fields ; nurses have been trained and other measures of permanent improvement taken ; whilst the Soviet Government, with its short but concentrated courses of training in improved methods of agriculture for hundreds of peasants from all over the country, and other constructive activities, has shown plenty of energy and enterprise, and a determination to save both life and culture.

The healing of the wounds and diseases left by the war is, indeed, only one aspect of

the humanitarian work already undertaken by the League. The Health Organisation has embarked on important investigations concerning the standardisation of sera ; a sub-committee is investigating the measures taken in many countries to combat cancer ; another is dealing with malaria ; another with sleeping sickness and other tropical diseases. The Epidemic Commission is able to come to the rescue in a sudden emergency—as far as inadequate funds permit—and it probably saved many lives in Greece by a vigorous vaccination campaign that was carried out among the refugees at the beginning of 1923. The League, in recognition of its great value, has now given it a permanent constitution, and it will continue as a largely autonomous health organisation, working in close touch with the old “Office international d’hygiène publique.”

The Health Organisation, like other departments of the League’s work, is seriously handicapped at present by lack of funds. The members of the League, whilst spending millions on armaments, examine every expenditure of the Secretariat at Geneva on blue pencils or red-tape with the eyes of a professional treasurer. So the Health Organisation can only carry on some of its best work, such as the interchange of educational visits among medical experts, with the assistance of private benevolence and such public bodies as the Rockefeller Institute.

Most of the tasks described in the foregoing pages have been undertaken by the League solely to combat the direct and immediate consequences of Europe’s wars and commotions ; and as soon

as one task is fairly accomplished a new political outbreak leads to a fresh demand for rescue for the innocent sufferers ; and so it might seem that the rescue work would continue as an endless series of dams built across a raging flood of water. There is only too much truth in this. All that can be said on the other side is : First, so long as the better emotions of compassion and comradeship have a place in man he must do what he can to rescue his suffering fellows, however "futile" such action may appear ; secondly, all this work must tend to bind helper and helped together in bonds of human sympathy which may have some influence for good on the political relationship of States ; thirdly, the Governments are themselves learning to co-operate in this work, especially in the League's Health Organisation, which seems to be fully and genuinely international, without any "dominance" of politically strong powers ; finally, all the time this work is going on, the League and its supporters are striving also to overthrow the forces that have let loose this flood of war and commotion upon the world.

The League of Nations has succeeded in making the old international conventions for combatting the white-slave traffic and the opium traffic far more effective. The former has been extended so as to include all immoral traffic in women and girls, whether white, brown or black ; many additional countries have ratified the conventions, which are more thorough than the pre-war agreements. Here and also in the anti-opium campaign the war conditions had almost destroyed what had been achieved ; but both have gained by having a per-

manent international secretariat, which can deal with the traffic at any point, whereas formerly the effectiveness of the action depended entirely on the vigilance of the police or customs officials of the separate States. A particularly vigorous campaign has been launched against the former traffic in the Near East, in spite of all the political obstacles. A great effort is also being made to prevent "illicit" export of opium from the chief opium-growing countries by a licensing system; and the League Opium Commission is working towards the time when the production of opium will be limited to the legitimate<sup>1</sup> demand of the world. The position in Persia, in Turkey, in China (by reason of the political chaos of the country), and in India (by reason of the fact that opium is a Government monopoly, providing revenue), is still unsatisfactory but rather more hopeful; and the United States, as well as several other countries, has not yet succeeded in preventing quantities of morphia being manufactured and smuggled through its ports. Japan is taking strong action to stop this trade, but until production is limited, smuggling is bound to continue. Happily the United States, as well as some other non-members of the League, is

<sup>1</sup> American and other critics of the League's opium activities point out that the pre-war Hague Convention was directed against all trade in opium except for "medicinal" purposes, but that the League has changed the word "medicinal" to "legitimate," thus allowing a big loophole for the continuance of the traffic. This is indeed regrettable; but if the critics, instead of looking only at words, would regard deeds also, I believe they would find that, whereas the Hague Convention was practically a dead letter, the League Secretariat is making a serious and partially successful effort to check the traffic.

now co-operating with the League in the work for suppressing both the opium traffic and the traffic in women and children.<sup>1</sup>

Article 23 of the Covenant directs the League to undertake work in various fields of international co-operation. In the fulfilment of these duties several permanent organs have been created, loosely attached to the League, but in practice largely self-governing. The work of one of these, the Health Organisation, has already been very briefly described. Two others are the Communication and Transit Organisation, and the Economic and Financial Organisation. The former was created as a result of a conference held at Barcelona in 1921, called in order, as far as possible, to "secure and maintain freedom of communication and transit and equitable treatment for the commerce of all members of the League." The Barcelona Conference devoted its attention mainly to two problems: the promotion of freedom of transit for persons or goods by rail or waterway through any State, and the regulation of international waterways. The convention providing for freedom of transit does not at present encroach upon the right of States to levy dues on goods destined for their own territory, but it is none the less a useful piece of international work, and there are signs that many States may be induced to abandon some of their tariff walls by international agreement before long.

<sup>1</sup> For further particulars of all this work, see *The Humanitarian Activities of the League*, published by the League of Nations Union, price 6d.; *The World Dope Menace*, L.N.U., price 3d.; also the Official Journal of the League, *passim*.

The idea that waterways flowing through the territory of more than one State should be free for navigation by all States, and should be internationally controlled, is not new. Such international administration of various European and other rivers dates from the Congress of Vienna and even earlier. But the powers of the old Danube Commission, for example, were extremely limited, and the jealousies of the riparian States were apt to defeat its efforts. A very elaborate statute was finally agreed upon at Barcelona, which harmonises the conflicting interests, and ought to give the new authority real control. The dredging operations, however, still leave much to be desired, as the author discovered in August, 1923, when he had to contemplate the truly beautiful scenery of the Little Carpathians for twenty-four hours from the deck of a Hungarian steamer, without adequate food or sleeping accommodation. The Hungarians, of course, insisted that it was all the fault of the Czechs ; and the latter did nothing to help us, though we were close to their shore. We were fortunate to get off so quickly ; other boats were stuck for longer. The international control is not likely to be very effective while the present state of feeling continues. However, it may be hoped that the new Danube treaty will be effective before long. Only eight States had deposited their ratifications by the end of January, 1923. Rumania has since adhered to the statute concerning international waterways—the second Danube State to do so, Bulgaria being the first.

The question of international railway administration was postponed to a later conference.

The committee that carries on the work for facilitating communications and transit seems to be a most enterprising body—one might almost call it revolutionairy. At the end of August, 1923, it was discussing the reform of the calendar, with the assistance of learned astronomers who had been tactfully chosen by the heads of the great Christian Churches—Roman, Greek and Anglican. Not only is the fixing of Easter under discussion, but the possibility of dividing the year into equal months, each of four weeks, and in such a way that a given date may always be the same day of the week. Presumably the one day left over—perhaps Christmas Day, if Christians are fixing this new calendar—will be a kind of *dies non*, when we can enjoy ourselves without limit and the natural laws of cause and effect will be suspended. In Leap Years we shall all have an extra holiday: a “rational time-measurement” is what the experts call it. One foresees a violent conflict between sentimental and business instincts ; and who can doubt which will win, unless, after all, civilisation is just coming to an end?

The same committee hopes to persuade all countries in one and the same zone to begin and end summer-time on the same dates.

As it is also trying to revise the existing Convention of 1909 on road traffic, one foresees a dreadful war between the Left Side of the Road countries and the Rightsiders. But perhaps the wise Chinese will be able to find a compromise acceptable to the Christian conscience of all the sundered nations of the West.

In September, 1920, the League called a Finan-

cial Conference at Brussels, which was attended by practically all the European States except Russia, also by the United States, at which the whole economic situation was reviewed, and many recommendations agreed upon. Unhappily the Governments were not ready to listen to the warnings of the economic experts. To a large extent their recommendations have gone unheeded. Early in 1923 the League of Nations published a review showing to what extent the recommendations had been applied. This report was based on information supplied by twenty-five countries. Most of these countries have decreased their expenditure by reducing their official staffs ; and they have increased taxation. Fourteen of them have reduced their note circulation. But only the United States and the United Kingdom have been able to show an appreciable surplus of income over expenditure. The debt of Sweden, Finland and Canada has not increased, and that of Australia, New Zealand, South Africa and Japan only slightly. Norway, Holland, Switzerland and India can show an improving financial position. Most States have ceased to grant subsidies for the purpose of lowering prices, but many have had to pay unemployment doles instead. Certain States, therefore, have tried to adopt the first recommendation, to balance public revenue and expenditure ; most have tried to abolish State subsidies, and have ceased to inflate credit and currency ; but the other two recommendations, to release trade from hampering restrictions and to reduce armaments, have not been seriously adopted.

The Economic and Financial Organisation has

continued to exercise a useful influence in some minor matters since September, 1920. It has, for example, made possible the raising of loans for Albania, for Danzig, and for the settlement of refugees in Greece. A proper appreciation of this work can probably only be given by an expert economist, which the present writer is not. But it is obvious to the layman, no less than to the committee itself, that, so long as the League and its permanent economic committees are successfully warned off the "political" questions of reparations, and other international debts, this work can only have a secondary value.

Perhaps the best aspect of the activities here described is the promise they give of effective international administration if once the political difficulties have been overcome. The existence of permanent organisations, whose sole purpose is to improve international intercourse, is some guarantee that the Governments which have to put these measures into force will not be allowed to be as dilatory as they have been in the past. And when conferences meet they have their work prepared for them, so that the conventions agreed to are drafted with care, and in the light of all the available knowledge.

Still more notable is the work undertaken by the International Labour Organisation. If the rest of the Treaty of Versailles had approached the standards of Parts I and XIII, how different the world of 1923 might have been! Part I, the Covenant of the League, apart from a few blemishes already noted, forms an excellent introduction; Part XIII, the "charter" of the International

Labour Organisation, with still fewer blemishes, an admirable epilogue. It does not seem necessary to discuss the motives of the "Big Four" in agreeing to Part XIII. Perhaps they hoped thereby to stave off industrial revolution ; perhaps their motives were a mixture of good and ill ; or perhaps wholly good. What matters is, not the motives of the authors, but the fulfilments of the organisation they created.

The International Labour Office is not an integral part of the League of Nations. Its permanent dwelling-place is on the outskirts of Geneva ; it is financed through the League ; otherwise it is quite independent. Its legislative action is taken by a conference, which has so far met annually, and in which each State is represented by two Government members, by one representative nominated by the largest employers' association in the country, and by one representative of the largest body of organised workers. Some critics have suggested that this means, in practice, three representatives from each country of the capitalist class, and only one of the proletariat. What has actually happened is that when the employers' and the workers' representatives have come into conflict, the majority of the Government representatives have sided sometimes with one, sometimes with the other. The permanent office, whose functions are chiefly executive and administrative, is controlled by a governing body representing the eight States of chief industrial (not necessarily political) importance<sup>1</sup> and four others elected from the

<sup>1</sup> Namely, Belgium, Canada, France, Germany, Great Britain, India, Italy, Japan. The United States is not a

remainder. The permanent office staff is said to comprise persons of twenty-eight different nationalities.

The general purpose of the organisation may be said to be the improvement and uniformity of labour legislation throughout the world. It also undertakes research work on labour conditions, publishes information, and is responsible for a review in which labour questions are freely discussed from various points of view.

The work that the organisation was authorised to undertake included "the establishment of a maximum working day and week, the regulation of the labour supply, the prevention of unemployment, the provision of an adequate living wage, the protection of the worker against sickness, disease and injury arising out of his employment, the protection of children, young persons and women, provision for old age and injury, protection of the interests of workers when employed in countries other than their own, recognition of the principle of freedom of association, the organisation of vocational and technical education and other measures."

The first conference met at Washington in 1919. By the time of its meeting it had become clear that the United States would not ratify the Treaty of Versailles, and would not become a member of the League or of the "I.L.O." To remedy this unhappy defect (and for better reasons too) the conference immediately decided, with only one dissentient voice, to invite Germany to become a member. Spain, Chili, Finland and Poland are the elected four at present.

member of the Organisation, and the invitation was accepted. Over fifty States are now members, but the United States and—perhaps inevitably—the Soviet Republics, remain outside.

The Washington Conference agreed to conventions and recommendations on most of the matters mentioned above. In particular it adopted conventions providing for an eight-hour maximum working day, and a forty-eight hour week ; for provision against unemployment ; for a fully paid rest period for women before and after childbirth ; for restricting the employment of women and children at night ; and for a minimum age of employment. Six recommendations were also adopted, concerning other important matters. The ratification of these conventions and recommendations has not been as rapid or as thorough as had been hoped. Nevertheless a large amount of legislation has resulted, and the bulletin of the I.L.O. announces fresh ratifications almost every week.

Japan and India, and other eastern countries, were not ready to go as far as the western countries ; but both these States, whose growing industry, based on cheap labour, has become an increasing menace to social improvement in the West, agreed to introduce legislation that would approach the western standard, and both appear to have carried out their obligations in this respect. Unhappily, China has not yet been able to apply any really effective labour legislation. But it is only through the constant activity and vigilance of the I.L.O. that the grave menace of eastern industry underselling western industry—not because of any superiority, but solely by the different

standards of life in East and West—may be averted.

The second conference, in 1920, attempted to apply some of the Washington conventions, which, in the first instance, were only applicable to industry, to maritime labour also ; and the 1921 conference sought to improve the conditions of agricultural workers. The 1922 conference seems to have restricted itself to consolidation of the work attempted at the earlier conferences ; and in this, no doubt, it was wise.

Neither the present Governments, nor, perhaps, even the public opinion of most countries, are prepared to advance very rapidly along the path of social reform, and it is far more important for the I.L.O. to beat up the laggard States, and keep them up to scratch, than to try to set the pace for the more enlightened peoples. Meanwhile the truly enlightened States, such as the smaller countries of North, Central and Western Europe, are exploring the ground of social advance with fresh experimental legislation, and when they have consolidated the new advance, the I.L.O. can follow, bringing the backward States into the newly won territory. There is nothing in the international labour conventions to restrict the advance of the progressive States ; on the contrary, it is clearly laid down that no State which has already advanced beyond the minimum demanded by these conventions is to regard them as an excuse for retrogression. Unhappily there is only too good excuse, in the present economic dislocation, for hesitation on the part of States in putting the new conventions into force. In view of this fact

the accomplishments already achieved, partly as a result of constant pressure from Geneva, partly, too, because of the pressure of enlightened opinion and organised labour in the several countries, is encouraging ; and it should stimulate all who care for the welfare of their fellows to fresh efforts.

There are still some, of course, who believe that all this labour legislation is only leading the world into a blind alley ; that a complete change in the economic system must come, and that it is only delayed by measures of social reform. The present writer is one who looks forward to drastic changes in the economic basis of modern society ; but he would have to feel very much more certain than he does about the date and the nature of the expected revolution before he would be prepared to acquiesce in the condemnation of millions of his fellows to any unnecessary and unmitigated wage-slavery to-day ; and he does not believe that a desirable revolution will be hastened by any such acquiescence in evil. It would seem a great deal more likely that those who are gaining greater freedom by social improvement will thereby learn those necessary lessons in self-discipline and self-expression which alone can fit them for making the new order that we dream of happier than the old order we want to abolish.

One more task to which the League of Nations has set its hand must be referred to before this chapter is concluded. The tragedy of Austria since 1918 has been so deep that one dare not attempt to describe it. A people accustomed to the most refined and cultured life was suddenly plunged into the deepest poverty, with no road of escape

left open, the quicksands of misery and despair slowly but steadily engulfing them, and the Governments of more fortunate lands looked on, wondering whether it was worth while to try to save the Austrian people from their torture.

At first a good deal of generous help was forthcoming, especially from America ; but when it became clear that the assistance thus granted was immediately swallowed up in meeting impossible reparation demands, the first rush of generosity was soon checked. Only a few innocent Quakers and others of their kind continued to pour water into the sieve, striving frantically to keep alive the spirit of comradeship and hope. The wise men of the world refrained from giving to a people who had been forced into a position from which there was no escape but death.

As early as 1920, when Austria was admitted to the League of Nations, a neutral cartoonist represented the ceremony as carrying in a corpse. The Austrian people are surely the most patient and long-suffering in the world. For two more years they tried to keep alive a spark of life whilst waiting for the arrival of the doctor. The League's first effort to float a credit scheme was thwarted by the reluctance of several Governments, chief among them the United States, to forgo the claims due from the bankrupt State ; and the financiers of the world had taken fright, and would do nothing without very solid Government guarantees. Thus was the ill-fated Ter Meulen scheme frustrated. It was not until the spring of 1922 that the United States Government came to the heroic conclusion that at least it would not prevent anybody who

might be charitably disposed from helping Austria. Thereupon Great Britain, France, Italy and Czecho-Slovakia provided Austria with loans ; but it was too late : the money had to be used to cover current expenses. The krone continued to fall ; the budget could not be balanced ; the people still sank into misery and death.

Finally, in August, 1922, the Chancellor, Mgr. Seipel, let it be known that, rather than perish utterly, Austria would sell herself to the highest bidder among her greedy neighbours. When he came to London in that month the Allies were just "agreeing to differ" about German reparations ; when the Austrian spectre was brought to their notice they hastily consigned it to the League of Nations, letting it be known, however, that they, the Great Allies, could give no more help. How the League of Nations could help, if its strongest and richest members would do nothing, they did not explain. However, Mgr. Seipel continued his journey, and when he had suitably excited Austria's various greedy neighbours, perhaps by making each think that another was making a higher bid for Austrian territory, he arrived in Geneva just as the League Assembly was meeting. He laid his case before the Council in public session, concluding with an obscure phrase which might have contained a threat of uniting with Germany. The Council then went into secret session, and finally appointed a committee. How far the mutual fears and suspicions of Italy, Jugo-Slavia and Czecho-Slovakia were responsible for what followed, no one can tell. But it is certain that for once a better motive than fear had to be reckoned

with. The League Assembly is capable of rising to considerable heights of moral fervour on occasion, and the speeches, made in the early days of September, 1922, concerning the situation of Austria, showed a strong current of feeling that something *must* be done. It is not often that the representatives of small States express themselves so strongly, in the face of deliberate inaction on the part of the great States, as they did on this occasion. There were critical moments in the negotiations ; but the end of it was that a scheme was agreed upon, backed by Great Britain, France, Italy, Czecho-Slovakia and other States, to provide Austria with the necessary credits to re-establish her finances and her trade and industry by the end of 1924. Lord Balfour, explaining the scheme at a public session of the Council on October 4, 1922, said: "I do not think, whatever the result may be, that the League of Nations need be ashamed of the work it has done ; but, after all, it is not of the League that I am thinking so much as of the future of Austria." Doubtless it was largely because Lord Balfour was really thinking first of the future of Austria, and after that of the credit of the League and not of the interests of Great Britain, that the scheme was finally adopted. Mgr. Seipel, on the same day, said: "Thank God we can say to-day, 'The League of Nations has not failed us ; the great idea lives—the idea that a Supreme Court exists, composed of members of the nations themselves ; a Court which, when a people is in such dire need that it cannot help itself, will effectually call upon the others to help.' " So thorough and sound was the scheme, and so real

the support given to it, that the Austrian exchange was at last stabilised, hope and confidence began to return to the people of Vienna, the reforms demanded from the Austrian Government were carried through before the end of 1922, and the first advance credits arrived at the end of February, 1923.

The negotiations for the chief credit, to be advanced in June, 1923, were so successful that it was immediately oversubscribed, especially in London and New York, where the largest proportions were placed.

In October, 1922, the expenditure of the Austrian Government was 860 milliard kronen, the revenue only 288 milliards; by October, 1923, the expenditure had decreased to 652 milliards; the revenue increased to 464 milliards. Savings bank deposits rose from 30 milliards in September, 1922, to 400 milliards in July, 1923.

It is important to realise not only that the reconstruction scheme itself is very much sounder than any previous proposal for Austrian reconstruction; not this alone, nor yet the energy of the Austrian Government, nor even the strong feeling in the League Assembly of 1922, would have ensured the success of the scheme, but for the persistent efforts of the officials of the League in keeping the guaranteeing States up to scratch.

The Austrian Social Democrats at first criticised the whole scheme, partly on the ground that the bankers and financiers would increase their power at the expense of the workers, partly because the control exercised by the League of Nations Commissioner in Vienna would undermine the sover-

eignty of the State. The latter accusation seems to have been dictated entirely by party feeling. Manifestly, under the circumstances, the credits could only have been obtained if the finances of the country were placed under an authority that was not at the mercy of party changes and other internal forces. The League Commissioner, M. Zimmermann, has very wide powers ; but the sovereignty that has been surrendered to him will be regained at the end of 1924, whereas the alternative was the disruption of the State.

The first accusation is more weighty. In order to balance the budget it has been necessary to dismiss great numbers of officials and State employees, especially railwaymen. The railways, and many other services, had been greatly over-staffed, in order to find employment for the large number of German Austrians who had been dismissed from their positions in the ceded territories. By September 1, 1923, nearly 47,000 had been dismissed, and by June, 1924, the total must be brought up to 100,000. A good many of these receive pensions. Of the rest nearly 2,000 have applied for work at a special labour bureau, but only 30 per cent. of these have been placed in other professions. Many more have found work through their own efforts, and important economic developments, both industrial and agricultural, are absorbing a number of the manual workers.<sup>1</sup> These men are a real asset to the country, which is undoubtedly capable of producing far more wealth than it does at present. But thousands

<sup>1</sup> The number of unemployed fell steadily during all the first nine months of 1923.

remain, especially of the professional classes, who are faced with starvation. For these people, who are not the sort that harass Governments by violent agitations and revolutionary propaganda, little or no help seems to be provided by the Government or the League of Nations Commission. They are allowed to die, for they will die quietly. The suicide rate is very high. Considering how useful men of this class who emigrated from Austria after 1848 proved themselves, it is to be hoped that an emigration scheme can be negotiated with the American, Canadian and other Governments, for placing them where their knowledge would be of great value in the development of civilised life.

This, however, is not the side of the problem with which the Austrian Socialists concern themselves. They claim, rather, that the Reconstruction Scheme, demanding as it does rigid economy in all State services, tends to depress wages and imperil the eight-hour day and other rights won by the workers. Such a tendency is almost inevitable ; but the present writer has not been able to find any clear evidence that the charge of exploitation can be substantiated. It is very important, however, that all who care for the reputation of the League should scrutinise the possible evil economic effects of its work in Austria closely. If economic subjection were the only way in which the League of Nations could save one of its members from political collapse, the cure would be little better than the disease. The first work undertaken by the League, described at the beginning of this chapter, was to rescue human beings who were in great need. It was an auspicious

beginning. There must not be any ground for the complaint that the League and its officials care more about States, about authorities, about those who have political or economic power, than about the welfare of common men and women.

It is hardly possible to exaggerate the heroism with which the Austrian people, energetically led by Mgr. Seipel, are endeavouring to put their State in order, so as to earn the confidence of the world. Nor is it easy to exaggerate the significance of this effort undertaken, in a Europe seething with hatred and discontent, by many of the leading States to save one of their number from utter collapse. M. Zimmermann, Commissioner-General of the League at Vienna, formerly Burgomaster of Rotterdam, said in the League Council meeting in February, 1923: "I believe that the time has now come to abolish everywhere the evils of the war and to put a stop to the faulty post-war administrative methods. This work has been begun in Austria under the auspices of the Association of States which form the League of Nations. In devoting my efforts to this great work, I feel that I am acting in harmony with the spirit of the age and the inevitable development of world history."

Unless all Europe is to be ruined by the Ruhr adventure, conditions should now continue slowly to improve in Austria, although the transition stage till the middle or end of 1924 is bringing great suffering on the people of Vienna.

It was pitiful to find, in that city of music, in August, 1923, that popular concerts of classical music were half empty. But it was a healthier sign than the packed theatres and operas of Ger-

many, where marks not spent to-day would be worthless to-morrow. Vienna, in its abject poverty, can at least look to the future, and say, "Let us starve our bodies and souls, for to-morrow our children may live." But although the future of Austria as a country seems now assured, the future of Vienna, a city of two millions in a country of not much more than six, is not so sure a matter.

Is there no further means of help? Here is a city of very high culture and old traditions, full of wonderful buildings, the gateway of Western Europe facing towards the East, inhabited by a people accustomed to mix with all races, and who combine in a rare degree some of the more sober virtues of the northern Teuton with the vivacity and imagination of the Latin and Mediterranean peoples—is not this the destined capital of the League of Nations? Geneva, it is true, has a great history, but the true Genevese do not like having their city turned into a cosmopolitan centre. The only real rival is Constantinople. Whether the rest of Austria became a second Switzerland, or threw in its destinies with Bavaria in a greater Germany, would be for the people themselves to decide. To transfer the seat of the League to Vienna would be a fitting completion to the work the League has done for that great city.<sup>1</sup>

The work described in this chapter is very valuable, perhaps all the more important because

<sup>1</sup> A full explanation of the scheme for the reconstruction of Austria is to be found in special supplements to the Monthly Summary of the League of Nations, published in October, 1922, and March, 1923. Cf. also the Official Journal of the League, 1922, XI, Part III, 1923, No. 5, etc.

most of it is not sensational. Solid good work rarely makes "good copy" for the newspapers; but it may contribute more to human happiness than all the political conferences of a decade. At the same time, so long as this excellent co-operative work is built upon a political quicksand, the whole structure is liable to collapse suddenly.

Is the League doing anything to turn the quicksand into a solid foundation? The remaining chapters may give an answer to this question.

## IV.

### PREVENTING WARS

ARTICLE 12 of the Covenant of the League provides that "The members of the League agree that if there should arise between them any dispute likely to lead to a rupture, they will submit the matter either to arbitration or to inquiry by the Council, and they agree in no case to resort to war until three months after the award by the arbitrators or the report by the Council." The following Articles (13 to 15) describe how the arbitration and conciliation are to be carried out. Article 14, in particular, provides for the establishment of a Permanent Court of International Justice, which has now been duly set up. Since the establishment of this Court, Article 12 has been so amended as to provide for the settlement of disputes by judicial decision, as well as by arbitration or conciliation. And Article 13 now defines the disputes suitable for submission to arbitration or judicial settlement, namely: "Disputes as to the interpretation of a treaty, as to any question of international law, as to the existence of any fact which, if established, would constitute a breach of any international obligation, or as to the extent and nature of the reparation to be made for any such breach."

When the Hague Conference of 1907 attempted to establish an international court of justice, the scheme was wrecked on the rock of the doctrine of State equality. The Arbitration Court, already established in 1899, consists of a panel of arbitrators, any of whom may be chosen to settle a particular dispute according to principles agreed upon by the disputant States. Every State could appoint to this panel. But a permanent court of justice, sitting at stated times and always consisting of the same judges, can hardly consist of more than twelve or fifteen members ; it is clear, therefore, that not every State can be represented. In 1907 the Great Powers refused to agree to a court on which they would not be permanently represented, and the lesser States would not consent to accept a position of inferiority. They demanded that the judges should be freely elected by all States on a basis of equality. So the scheme broke down.

In order to set up the Court provided for by Article 14 of the League Covenant, a committee of distinguished jurists was appointed in 1920 by the Council of the League to prepare a draft. This scheme, known as the Root-Phillimore plan, provided an ingenious solution of the difficulty that had proved insurmountable in 1907. It was provided that two elections of judges should take place—the first in the Council of the League, where the Great Powers are permanently represented ; the second in the Assembly, where all States are equally represented ; and only those judges are declared elected who obtain an absolute majority in both. Elaborate provisions are made

for securing the ultimate election of the full number of judges.

The scheme also proposed that, as far as possible, such judges should be elected as would represent the chief legal systems of the world. The eleven judges actually elected are nationals of the following countries : Spain, Brazil, Cuba, Italy, France, Switzerland, the Netherlands, Denmark, Great Britain, the United States, Japan ; whilst the four deputy-judges are drawn from Rumania, Jugo-Slavia, Norway and China. This can hardly be said to fulfil the recommendation of the committee. The legal systems of Central Europe, of Russia, and of the Muhammadan world, are not properly represented ; on the other hand, the number of judges drawn from the Latin countries seems excessive, and it is hardly necessary to have judges from both Denmark and Norway.

The United States, and other States not at present in the League, seem to be prepared to recognise the Court, on conditions ; and it may be hoped that, within a year or two, the Court will have been recognised by all civilised States, and the election of the judges slightly modified.

The Covenant of the League lays down (Article 14) that "The Court shall be competent to hear and determine any dispute of an international character which the parties thereto submit to it." The jurists' committee construed this as giving any member of the League the right to summon any other member before the Court. Unhappily the League was not quite ready for this. The Court is only to hear cases when both parties to the dispute consent to appear ; but a clause

has been inserted in its statute by which States may declare their willingness to be summoned to appear before the Court, and twenty States have accepted this obligatory jurisdiction.<sup>1</sup>. These include China, the Scandinavian States, Holland, Switzerland, Bulgaria, Portugal, Brazil, and several of the smaller American and European States—not one of the “Great Powers,” and none of the Central European succession States. This is not to say that these other States reserve to themselves the right of going to war at any moment. Article 12 insists, as already noted, that every member of the League *must* first submit any dispute to some procedure of justice or conciliation, and must await the verdict of the Court or Council before going to war. Nevertheless, any State that wishes to prove its pacific intentions could hardly do so more effectively at the present time than by accepting the obligatory jurisdiction of the Court. The first Great Power to do this will certainly improve its reputation in the world.

The first session of the Court, in 1922, was devoted to the hearing of two cases submitted to it with regard to the competence and composition of the International Labour Organisation. The French Government expressed a doubt whether the Labour Organisation was competent, under its articles of constitution, to consider questions of agricultural labour. This question was referred to the Court for an advisory opinion, and it decided that the I.L.O.<sup>2</sup> was competent. The Labour Office also asked whether the Dutch (or any other)

<sup>1</sup> It only applies between States both or all of which have accepted the optional clause.

Government was entitled to appoint, as Labour representative to a Labour Conference, a man who did not represent the largest single body of organised workers in the country, but who was the agreed representative of several bodies whose aggregate membership was larger. The Court decided in favour of the latter interpretation. These matters may seem unimportant, especially to anyone who is sceptical of the value of the International Labour Organisation.

At its second session, at the beginning of 1923, the Court decided what was, in effect, a dispute between France and Great Britain. The British Government complained that British nationals (Maltese) were being conscripted as soldiers in the French Protectorates of Tunis and Morocco. The French claimed that this was a matter of domestic jurisdiction, and that all inhabitants of Tunis or Morocco must conform to the local nationality laws. The Court has decided, apparently on the ground that the territories in question are Protectorates, not possessions of France, that the matter is not one of domestic jurisdiction. The French Government accordingly agreed that the whole case should be decided by the Court of International Justice; but in May, 1923, the French and British Governments reached an agreement out of court.

During its third session (July to September, 1923) the Court heard three cases. The first was concerned with the *status* of Eastern Carelia. In October, 1920, the Russian Soviet Government had signed a treaty with Finland at Dorpat, which included a guarantee by Russia

of autonomy for Eastern Carelia, a country whose population is partly Finnish. Finland claimed that this autonomy had not been granted, and appealed to the League Council. The Council asked the Court to decide whether any international question was involved. Russia claimed that neither Court nor Council was competent to intervene. The Court, by seven votes to four, expressed the same opinion.

In the second case the principal Allied Powers claimed that Germany had violated the Treaty of Versailles in refusing passage through the Kiel Canal to s.s. *Wimbledon* in March, 1921. This ship was carrying munitions of war to Poland, a State which had just concluded a war with Russia. The German Government consented to the case being heard by the Court, and Professor Schücking took his seat among the judges for the hearing. It is laid down in the statute of the Court that if one party to a case is represented on the bench, the other party may appoint a representative. Seeing that the four plaintiffs (Great Britain, France, Italy and Japan) were all represented on this occasion, it would have seemed fair for Germany to have four judges. But the judgment would not have been affected.

The Allies took their stand on Article 380 of the Treaty of Versailles, which provides that "the Kiel Canal shall be maintained free and open to the vessels of commerce and of war of all nations at peace with Germany on terms of entire equality." Article 381 allows for certain exceptions to this rule, and the opinion was expressed by Herr Schiffer, on behalf of the German Govern-

ment, that these exceptions were not exhaustive. He also contended that the war had not been definitely concluded, and that the Kiel Canal was still a national waterway. Nine of the twelve judges concluded that the Allied claim must be upheld, and that the Kiel Canal had in fact, under the terms of the Treaty, been recognised as an international waterway, similar to the Suez and Panama Canals. The German Government was accordingly under obligation to make good the losses of various firms, amounting to about 140,000 French francs. This is the only contested case yet heard and settled by the Court.

The third case heard at this session was a request for an advisory opinion as to the legality of certain measures taken by the Polish Government in expropriating the holdings of Germans in the territories ceded to Poland by Germany. Although the Polish case was supported by a leading English advocate as well as a Pole, the Court gave its opinion that the Polish Government had violated the obligation imposed upon it by the Minorities Treaty. The Council of the League is now negotiating with Poland to redress the wrong done to the evicted Germans.

Article 15 of the Covenant provides that "if there should arise . . . any dispute . . . which is not submitted to arbitration . . . the members of the League agree that they will submit the matter to the Council." In accordance with this article several important international disputes have been brought before the Council of the League in the last three years. In several cases a solution has been found, which has been accepted

by all parties concerned. The chief disputes have been those concerning the destiny of the Aaland Islands, the status of the town and district of Vilna, the invasion of Northern Albania by the Serbs, the occupation of Corfu by Italy, and the division of Upper Silesia. The first four of these questions will be discussed in some detail here ; the last will be considered in a later chapter, as one aspect of the relationship of Germany to the League.

The Aaland Islands are situated in the Baltic, between Sweden and Finland : the islands are very many, but those that are near to Finland are uninhabited ; the inhabited islands are rather nearer to Sweden, and easier of access from the Swedish side across a broad, open channel. Moreover, in economic affairs the inhabitants tend to look westward. So at least the Swedes claimed, but the Finns disputed some of these facts. The islanders live by ship-building and sea-trading. A few islands, of no great wealth, inhabited by 27,000 people, seem hardly likely to give rise to a serious international dispute, but their strategic position, opposite the Swedish capital, and dominating the sea-route to Petrograd and to the Finnish ports, accounts for their importance in the eyes of Governments.

The whole situation is complicated by the historical events of the last hundred and twenty years. In 1809 Finland, including the Aaland Islands, was taken from Sweden by Russia, in spite of a stubborn resistance, especially on the part of the Aalanders ; and in 1917, after Russia had agreed to the independence of Finland

(without mentioning the Aaland Islands), Finland was torn by a fierce civil war between the reds and whites.

The Aalanders thereupon sent petitions to the King of Sweden, and ultimately to the League of Nations, demanding union with Sweden. This demand was hotly opposed in Finland, especially by a section of the population who, like the Aalanders, are Swedish by race and speech. The matter was raised in the League Council by the British representative. The Finnish Government claimed that it was a purely domestic issue, and that the League had no right to intervene.<sup>1</sup>

The Council appointed a committee of jurists (the Court of International Justice not having then been formed) to investigate this point. The committee reported that the status of Finland and of the Aaland Islands was not sufficiently certain for the Finnish claim to be upheld. The jurists had also been asked whether the provision in the Treaty of Paris of 1856 (after the Crimean War) forbidding the fortification of the Islands was still valid ; they reported that it was. On receiving this report the Council of the League proceeded to appoint a special commission (consisting of a Belgian, a Swiss and an American) to recommend a basis for "a final or provisional settlement of the question." This commission visited Sweden,

<sup>1</sup> Article 15 of the Covenant of the League says : " If the dispute between the parties is claimed by one of them, and is found by the Council to arise out of a matter which by international law is solely within the domestic jurisdiction of that party, the Council shall so report, and shall make no recommendation as to its settlement."

Finland and the Islands. Its report appears to be in direct conflict with that of the jurists' committee. The report is founded on the incontestable right of Finland to exercise sovereignty over the Islands. But it also insists on the right of the League of Nations to demand from Finland guarantees of special treatment for the islanders, in accordance with other agreements made with the League by newly constituted independent States for the protection of minorities. These guarantees include the preservation of the language and traditions of the people, the use of Swedish in the schools, guarantees against immigration by Finns, and a large measure of self-government,<sup>1</sup> including the right to refuse to accept the Governor or other officials proposed by the Finnish Government.

The Government of Finland accepted these obligations, and Sweden and the islanders themselves loyally, though reluctantly, acquiesced. A new treaty for the neutralisation and defortification of the Islands was drawn up, and this was guaranteed by ten States : Finland, Sweden, Germany, Great Britain, Denmark, France, Italy, Poland, Estonia and Latvia. Russia, it will be seen, is not a party to this treaty, but Germany is.

The first international settlement attempted by the League, though not above criticism in some respects, was thus brought to a successful conclusion.<sup>2</sup>

<sup>1</sup> The Aalanders already possessed a fair measure of autonomy.

<sup>2</sup> For the full details, see the Official Journal of the League, Supplements 1 and 3 (1s. 3d. net each); also Records of the

The second dispute considered by the League arose in the same part of Europe. This was a complicated issue—in fact, a series of disputes—between Poland and Lithuania. During the war between Poland and Russia in 1920, territory claimed by Lithuania was occupied by Russian troops, and possibly also by Polish troops, whilst Lithuanians crossed the line which the Western Allies had marked out as the northern frontier of Poland, and came into conflict with the Poles. Poland thereupon, in August, 1920, appealed to the League to intervene. The whole situation was very confused. Lithuania, for a long time united with Poland, and then for centuries ruled by Russia, had just re-emerged, in 1911, as a sovereign State; Poland herself had re-emerged a few months earlier, after 130 years of dismemberment; the provisional frontiers proposed by the Allies in December, 1919 (the so-called Curzon line), had not been accepted by either State. In addition to this, it should be noted that many Lithuanians, until quite recent times, regarded themselves as Poles. It was the policy of the Russian Government to encourage Lithuanian nationality in the last half-century, in order to divide the Polish national movement into rival sections: *divide et impera*. It is probable that a good many of the inhabitants of the Vilna

Conference Relative to the Non-Fortification and Neutralisation of the Aaland Islands (in French only, 5s.) and the Convention, with map (in French only, 2s.). A shorter account of this and other disputes may be found in *The Political Activities of the League*, issued by the League of Nations Union, price 9d.

district are still not quite sure whether they are Poles or Lithuanians. They might be either, or both, according to the circumstances of the moment. Manifestly there was a great need for the intervention of some impartial authority capable of proposing frontiers that should be fair to the new States. The Lithuanian Government agreed to accept the intervention of the League, as demanded by Poland, a Commission was sent to investigate the conditions on the spot, the Lithuanians withdrew across the Curzon line, hostilities between Poland and Lithuania ceased, and negotiations were begun. Early in October an agreement was signed. On the following day (October 8th) a Polish General, Zeligowski, crossed the provisional frontier and occupied the city of Vilna—a city which the Lithuanians regard as their capital, though it is admitted that a large number of the inhabitants (probably a majority) are Poles. This, however, provides no possible justification for the action of General Zeligowski, an action which completely ruined all chances of a reasonable and happy settlement.

The League Commission, which was still on the spot, sent telegrams to Geneva showing exactly what had happened, pointing out that the Polish fear of a Bolshevik invasion was at an end, and quoting a statement made by the Polish President, Marshal Pilsudski, which showed that he approved of the General's action.

When the League Council next met, the representative of Poland, called to explain the attitude of the Polish Government, attempted to justify General Zeligowski's action. The Council of the

League, instead of insisting that the Polish troops should withdraw immediately and unconditionally, proposed a plebiscite, to be taken after the troops should have withdrawn. But it was impossible to get a preliminary agreement as to the size of the plebiscite area. Further negotiations took place in April, 1921, under the auspices of the League, the Belgian statesman, M. Hymans, presiding. M. Hymans proposed several compromises, none of which were accepted. When the Assembly of the League met in September, Poland was given every opportunity of knowing what the world thought of her action. Mr. Balfour spoke as sharply as any statesman has ever publicly spoken of a "friendly" foreign State; M. Bourgeois, first representative of France, supported Mr. Balfour. The Poles did not give way. They still hold Vilna. Why? First, because the Council of the League did not take a stronger line in October, 1920, when Vilna was first occupied; secondly, because the Polish Government and people have not yet had time to realise the responsibilities and duties that attach to independent membership of the family of nations; thirdly, it is greatly to be feared that the Polish Government knew all the time that at least one Great Power, and probably one or two smaller European Powers too, secretly approved her policy of military adventure, and would continue to support her. But wherever the chief blame for the Vilna affair may lie, the Council of the League is seriously to blame for the weakness of its initial action. When supporters of the League are praising it for its good work they would be well advised not

to mention that the League stopped a war between Poland and Lithuania, although that much is true, for the full history of the incident is not calculated to promote confidence in the League.

It is hardly surprising if Lithuania, having failed to regain her capital after two years' fruitless negotiation, should have connived at an attempt to gain her "natural" seaport, Memel, by the Zeligowski method. Nor can the League of Nations be wholly exonerated here. The facts appear to be these: Memel is a port on the Baltic inhabited mainly by Germans, surrounded by country populated chiefly by Lithuanians; <sup>1</sup> it is the only possible port for the present State of Lithuania. It was formerly incorporated in the German province of East Prussia; by the Treaty of Versailles the city and adjoining territory were surrendered to the Allied and Associated Powers, and the French, on behalf of those Allies, proceeded to occupy the town, pending a final agreement as to its destiny. But the Council of Ambassadors forgot all about it, and in January, 1923, it was still occupied by French troops (paid for, presumably, by unfortunate French taxpayers), and governed by a German directorate—a singular condominium. Then the local Lithuanians, having grown impatient, decided to act, and found no

<sup>1</sup> The evidence seems to show that a large proportion of the inhabitants of the Memel district are Lithuanian *by race*; but it is claimed by some neutral observers that the *sentiment* of the people is overwhelmingly German. At any rate, Memel has been governed successfully by a German directorate ever since the Allies severed the territory from East Prussia; but as no plebiscite has been held, it is impossible to be quite certain of the real desires of the inhabitants.

difficulty in setting up a Lithuanian Government in Memel. The neighbouring Governments, shocked at such action, immediately began to discover a widespread plot. The Lithuanian Government was accused of instigating the rebellion ; the French and Polish Governments saw in this an attempt to increase the influence of Germany in the Baltic ; Lithuania was to be the channel for a new Entente between Germany and Russia. Berlin, on the other hand, saw a Franco-Polish attempt to dominate the Baltic, or a French attempt to get a firmer position for threatening Germany from the north-east. The Allied Ambassadors woke up suddenly, rubbed their eyes, remonstrated at the violence of the action that had roused them from their slumber, asserted their authority in Memel, and began to consider what should be done. Britain, France, and even Poland, sent warships to Memel. Everyone began to think of the League of Nations. Why not ask the League to intervene? Why not, even, ask the League to set up a new "international" regime, as at Danzig, with a French or British supreme Governor, or even a German perhaps? But is the League always to wait till the victorious Allies throw insoluble problems at its head? Are its members never to insist that it shall act on its own initiative, before the problem has become insoluble? It seems hardly possible that M. Hymans should have negotiated about Vilna<sup>1</sup> for eighteen months without discovering the need of settling the destiny of Memel. How is it that he did not suggest the intervention of the League in 1921?

\* The obvious answer is, of course, that M. Hymans,

If the members of the League are afraid to deal with any dispute that is not forced upon them ; if, in particular, they are afraid ever to suggest that any one clause of the Treaty of Versailles can possibly be subject to reconsideration, then indeed the one-sidedness and unreality of the League will be proved and its doom sealed.

But in this case the Council of Ambassadors thought it hardly worth while to call in the League. That might conceivably have led to the discovery that Memel was predominantly pro-German—another blow at the Treaty of Versailles ; Poland cannot reasonably claim Memel, until she has swallowed the whole of Lithuania ; and the only other claimant was Lithuania, now in occupation. So the *fait accompli* was accepted ; and the Council of Ambassadors doubtless congratulated itself on the ease with which the solution had been reached. If so, it was a little premature ; for having proposed a regime in Memel that guaranteed certain rights to Poland in the navigation of the River Niemen, the Ambassadors were met by a refusal on the part of Lithuania to accept such restrictions ; and so the League Council is to be asked to deal with the matter after all.

The League of Nations has also been asked to intervene on behalf of the people of Eastern Galicia. This large province of the former Austro-Hungarian Empire, and of the earlier Poland, is

representing the Belgian Government, was committed to the Allied policy concerning Memel. But that merely shows that the League Council ought never to have consented to his appointment as arbiter in a dispute where rigid impartiality was required.

inhabited mainly by Ruthenians—the same Slavonic race that predominates in the Ukraine—with large majorities of Poles and Jews in the towns. After 1867 Galicia had a provincial Parliament, and Ukrainian or Ruthenian nationalism increased at the expense of the Poles. Following the break-up of Austria-Hungary, East Galicia declared its independence at the end of 1918, but in the course of the anti-Bolshevik wars that followed it was overrun by Polish troops, and the Supreme Council of the Allies consented to a provisional occupation of the territory by the Polish Government, until they should decide its ultimate fate. That was in July, 1919. More than once the people of East Galicia—or large sections of them—suffering, as they were, from Polish oppression, appealed to the League of Nations to intervene on their behalf. But the League took the view that the Allied Council of Ambassadors must decide the sovereignty of the territory first. They urged that body to come to a decision, but their efforts were unavailing. At last, in March, 1923, the Ambassadors decided that East Galicia, like Memel, should be assigned to the successful invader. Thus Poland acquires a large non-Polish territory, and the chief oil-wells of Europe; and the people of East Galicia are likely to be confirmed in the conviction that a League of Nations which could not intervene to save them from the Polish occupation is not likely to save them from oppression now that the sovereignty of Poland has been confirmed. Perhaps, however, this view is not wholly reasonable. Eastern Galicia is guaranteed self-government, and it was only when the Polish

Parliament had approved a law to this effect that the Allies recognised Polish sovereignty. And the Minorities Treaty<sup>1</sup> applies to the Ruthenians, just as much as to the other minorities in Poland. It is for the League of Nations to ensure the reality of Galician self-government and the rights of the minorities.<sup>2</sup>

Turning from East to South-East Europe, a much happier picture can be presented. In spite of the aggressive designs of three of the victorious Powers—Italy, Jugo-Slavia and Greece—the League has effectively preserved the life of the State of Albania. A cynic will perhaps say that the ambitions of these three States were mutually antagonistic, and the League of Nations had only to play them off one against the other. But, if that were all, the League could soon lay the foundation of peace in every part of the world. Every international dispute involves a rivalry of ambitions ; but it is not always possible to play off one against the other or to defy them all. Nor does there seem to have been any such artful diplomacy in the case under consideration.

Albania, a land of feudal chiefs, and largely mountainous, inhabited by a race more ancient than the other Balkan peoples, for many generations past mostly Muhammadan, was separated from Turkey and recognised as an independent State after the first Balkan War in 1912; but

<sup>1</sup> See Chap. VII, 2.

<sup>2</sup> Cf. a paper read by Professor Roman Dyboski before the Institute of International Affairs, May, 1923 ; also a short article by C. R. Buxton, M.P., in *Foreign Affairs* for April, 1923 ; and League of Nations publications from time to time.

the Great War of 1914–18 endangered its independent life. In 1920 Italians were in occupation of Valona, and the Italian Government seemed to intend to establish a "protectorate" over Albania, in order to secure Italian naval supremacy in the Adriatic. Greeks were occupying Southern Albania, Serbs threatened the north. Each of the rival neighbour-States claimed to stand for the interests of the real Albania. An appeal was made, however, by representatives of Albania to the first Assembly of the League of Nations for admission to membership. At first sight the members of the League, especially some of Albania's neighbours, also both Britain and France, were inclined to "postpone" the application, on two grounds: first, that the real Government of Albania was a matter of dispute—it was not certain that the appeal came from a truly national Government; secondly, that the boundaries of Albania had not yet been defined by the Ambassadors' Council of the Allies—in fact, that the separate existence of the Albanian State was still in doubt. Lord Robert Cecil, however, persuaded the Assembly to admit Albania—a remarkable achievement. The Italian Government, in course of time, withdrew the Italian troops; but Albania's troubles were not yet at an end. The Serbs, in particular, were constantly threatening her northern frontier; and so the Albanians appealed to the League for help. The League Council was disposed to leave the matter to the Ambassadors' Council, which had not yet defined the frontier; so Albania appealed to the League Assembly of September, 1921. The Assembly

learnt that the Allies really were at last defining the frontier, but it decided to appoint its own Commission also to investigate the facts on the spot. For the Government of Jugo-Slavia claimed that it was only acting in support of a persecuted Christian minority of Northern Albania, which had established a rival republic in the Mirdite area in July. From the conflicting accounts given by the Albanian and Jugo-Slav Governments, it was clear that someone was telling some rather big lies ; so the League, in accordance with what one may regard as its established practice, wisely appointed a neutral commission to go to the disputed area and find out the truth. But the Serbs, scorning the League, and presumably knowing what the truth was, proceeded to invade Albania during October. Italy was not prepared to let the Serbs overrun Albania, but Italian intervention was prevented by the hasty summoning of the League Council by the British Government in mid-November.<sup>1</sup> The Jugo-Slav Government saw that this meant business, and accordingly their troops were withdrawn again behind the frontier proposed by the Allied Ambassadors. Meanwhile the League Commission arrived, and soon discovered the truth about the so-called "Mirdite Republic" : two or three chiefs had quarrelled with their neighbours, and the Jugo-Slav Government had used this quarrel as an excuse for invading the country. The reason why the Jugo-Slav Government had

<sup>1</sup> Any member of the League may, under Article 11 of the Covenant, request the Secretary-General to summon the Council for a specific purpose at any time, in case a war is anywhere threatened.

behaved in this way are fairly clear ; a Government that has many domestic embarrassments embarks on military adventures in order to create a national enthusiasm at home ; moreover, a State that is young, and has lately received great accessions of territory, has an insatiable greed. Poland and Jugo-Slavia, both of them "new" States under the post-war treaties, are seriously embarrassed by the existence within their borders of large alien minorities, not accustomed to submit to the tyranny of a dominant race ; and both are suffering from the glamour of youth. Whilst condemning them for their imperialist policies, let us not forget that great blame also attaches to those who for long kept them in subjection.

The League has not only rescued Albania from the designs of her neighbours ; it has also rescued her finance, which was in a chaotic condition in 1921, and open to the tender mercies of international concession-hunters. To save herself from falling into their hands, Albania again asked the League for help, and again got what she asked, in the form of a financial adviser responsible to the League alone. In September, 1922, when the representative of Albania in the League Assembly thanked the League for its help, he was, in fact, giving thanks for salvation from the twin perils of military conquest and economic exploitation. The Greek frontier is still a possible danger zone, but one may reasonably hope that the major perils are past, and give the League the credit due to it. It seems, however, that the League must sometimes try to spoil its own best actions. When it came to the actual appointment of the financial adviser

in February, 1923, a contemptible quarrel arose between the French who wanted to appoint a Frenchman and the Italians who wanted an Italian. An Englishman had been proposed, but the British representative did not press for his appointment. The Albanian representative gave the great Allies a sharp rebuke, and reserved the right of the Albanian Government not to recognise an appointment made under such circumstances. By April the Governments had come to their senses, and a Dutchman, Mr. Hunger, was appointed. He has already provided Albania with those twin blessings of capitalist civilisation, a national bank and a currency—to say nothing of a national debt.

The Jugo-Slav Government, foiled of its first prey, began to pick a quarrel with Bulgaria during 1922, asserting that Bulgarian marauders were maltreating the Serb minority in Bulgarian Macedonia, and making raids across the frontier. The Bulgarians made a counter-charge against the Serbs. Seeing that the Serbs have a much larger Bulgar minority in their territory than the Bulgars have Serbs, it would certainly be the height of folly for the Bulgarians to organise maltreatment of their Serb minority ; but in view of the history of Macedonia for the past fifty years, it is only too probable that acts of violence on both sides of the frontier are of common occurrence. The Bulgarians appealed to the League, which succeeded in pacifying the disputants, at least for a season. Early in 1923, however, the Jugo-Slav Government, inspired by the example of the French, was rumoured to be considering an invasion of Bulgarian Macedonia, where there are

some coal-mines, in order to "collect reparations." However, nothing came of this, and the Council of the League, at its meeting in February, 1923, heard with satisfaction that the Jugo-Slav and Bulgarian Governments had agreed to co-operate in suppressing the Macedonian *comitadjis*; and a week or two later it was announced that Bulgaria's impossible burden of reparations was to be reduced. The overthrow of the "green" peasant Government of M. Stambuliski in June, 1923, does not seem to have altered the situation. The Jugo-Slav Government continues to threaten dreadful things; the new Bulgarian Government seems as determined as its predecessor to preserve the peace. One is inclined to recall the saying of a wise man that what happens on the surface in the Balkans is little indication of what is going on underneath. With the assistance of the League of Nations it seems possible that the Balkan Peninsula, for a hundred years the chief danger zone of Europe, may soon become a refuge for those who seek a quiet life.

The southern frontier of Albania, however, has still to be fixed; and the operations of the Allied Delimitation Commission were violently interrupted by the murder of the Italian member, General Tellini, and four of his staff, one an Albanian, on August 26, 1923, on Greek territory between Janina and Santi Quaranta. The other chief European crises of the last five years—the Polish war with Russia, the Greek war with Turkey, the occupation of the Ruhr—have either been ignored by the League or gently "smothered" by the principal Allies when brought to its notice by some

bold Scandinavian. This particular incident, and the crisis that followed it, were not ignored. The Greek Government immediately expressed its sorrow for the assassination, and undertook to try to find the murderers and to punish them. The Italian Government, however, sent an ultimatum on August 29th, demanding reparation of various kinds. The Greek Government found itself unable to accept all the Italian demands. Accordingly, on August 31st the Italian Government shelled and occupied Corfu, killing thirteen refugees and eight soldiers, and wounding thirty-five people ; it declared that this was a purely temporary occupation, not intended as an act of war, "but simply to maintain her [Italy's] prestige and to show her inflexible determination to enforce the reparations due to her in accordance with the customs and rights of peoples." The Greek Government thereupon appealed for League intervention, and M. Politis, on behalf of his Government, brought this appeal before the Council on September 1st.

It was clear that all the nations represented at Geneva for the Assembly, including Belgium, Poland and the Little Entente, wanted the League to intervene ; but the French Government seemed to prefer reference to the Allied Ambassadors ; and the Italian Government—that is to say, Signor Mussolini—declared, on September 2nd, that Italy could not accept the intervention of the League in a matter affecting her honour. This view was upheld by Signor Salandra, on behalf of Italy, at Geneva on September 5th, and he challenged the competence of the League. Lord Robert Cecil

replied by having Articles 10, 12 and 15 of the Treaty of Versailles (that is to say, of the League Covenant) read out ; this completely refuted Signor Salandra's argument. Though the Italian contention was very ingenious, in effect it meant that the League could only intervene as between small States, and Great Powers must be free to act as they pleased. There is no warrant for this distinction in international law or in the Covenant of the League.

The Council, in spite of Signor Salandra's protest, sent a message to the Ambassadors' Conference in Paris, suggesting the lines of a settlement. These were a modification of the Italian ultimatum. Various formal and ceremonial " reparations " were to be made by the Greek Government ; representatives of the Allied Powers were to sit on the committee of inquiry, which should also be supervised by the League ; a deposit of fifty million lire was to be placed by the Greek Government, in accordance with its own suggestion, in a Swiss bank as a guarantee ; and the amount of indemnity due from Greece, if any, was to be fixed by the Court of International Justice. These proposals were almost wholly accepted by the Ambassadors' Conference, which expressed its gratitude to the League Council for its co-operation. The Italian Government agreed to evacuate Corfu on September 27th.

The Allied Commission of Inquiry began its work on September 17th ; on the 18th the Greek Government carried out its ceremonial reparations ; on the 22nd the Commission of Inquiry forwarded its report to Paris, showing that the Greek Government had done all that could reasonably

be expected of it, but that the murderers had not been discovered.<sup>1</sup> Accordingly the Allied Ambassadors, in their wisdom or their weakness, permitted Italy to pocket the fifty million lire, with the right to appeal to the Court of International Justice for the costs of the Corfu occupation as well. Signor Mussolini thereupon declared that Italy, in her generosity, would return some of the money to Greece for the help of her refugees, and would not appeal to the Court for any more. On the 27th the Italians evacuated Corfu.

The League of Nations was still in session ; owing to the universal feeling that Italy had flouted the authority of the League, the Council proposed that a special committee of jurists (not the Court of International Justice), one to be appointed by each member of the Council, should give an opinion on five questions. The first three deal with the legal points raised by the Italians ; the fourth asks whether measures of coercion short of war can still be admitted under international law, in view of the new obligations imposed on all members of the League ; the last concerns the responsibility of States for political crimes committed in their territory. The resolution for the submission of these questions to the committee of jurists was brought before the League Assembly on September 28th. The Council at the same time declared unanimously that "any dispute between members of the League likely to lead to a rupture is within the sphere of action of the League."

<sup>1</sup> See the report, only published on December 19, 1923.

So Signor Mussolini, having achieved a triumph over the nations of the world, was graciously pleased to admit, through his representative, that the world's contention was legally correct, and his own was completely invalid.

The members of the Assembly, faced with these resolutions, were at last free to express their feelings. The representatives of Sweden, Norway, South Africa (Professor Gilbert Murray), Persia, Finland, Ireland, Colombia and other States, made it quite clear that they disapproved of the intervention of the Council of Ambassadors, and of its final decision. Dr. Nansen, in particular, pointed out that the Greek Government had made amends for the original crime ; that the bombardment had taken place without any previous negotiation and without public proof of the complicity of the Greek Government ; that the settlement had been transferred from a permanent, authoritative and impartial body—the League of Nations—to a temporary body, representing the parties implicated, and sitting in private ; and that no published document justified the award of the indemnity to Italy ; it had been understood that the indemnity would be fixed by the Court of International Justice : this had not been done. When Dr. Nansen had reached this point in his speech the President of the Assembly asked him to keep to the resolution proposed by the Council. Perhaps he feared lest Signor Mussolini's representative might mistake Dr. Nansen for an innocent inhabitant of Corfu. Professor Gilbert Murray pointed out that it would be difficult for the League to maintain its claim as the champion of small

nations if innocent refugees were killed in a "peaceful" bombardment without the League exacting any reparation or apology, or even raising a protest. But apart from these speeches no protest was made. The fear of the Great Allied Powers seems to have been too much for the other States. They let their opinion be known ; that was the most useful purpose of the League in relation to this incident. It served as an open forum for the expression of the public opinion of the world.<sup>1</sup> But the public opinion of the world is not yet sufficiently potent to change the policy of a determined ruler of a Great Power, such as Signor Mussolini or M. Poincaré. And there is no other way to move Italy, or France, or Britain, from cruel and selfish policies, except the enlightenment of their own people, who may learn in time that all forms of jingoism are contemptible, and that magnanimity, mercy and generosity are the qualities which exalt a nation. If Great Britain had welcomed the intervention of the League in the Irish struggle ; if France had welcomed League intervention in the Ruhr ; then they would have been in a position to demand a like submission from Italy. The League is apt to remain a futile and ineffective instrument of international justice until one of the Great Powers voluntarily accepts a decision of the League that

<sup>1</sup> Some other quite important services of the League in this case may be urged : first, that war might have ensued if the League had not existed ; secondly, that the settlement would have been greatly delayed, and perhaps even more unjust ; thirdly, that the Italians would probably have found excuses for staying in Corfu.

conflicts with its own interests or "honour." That is the great lesson of the Corfu incident.

Some useful work has been done by the League in delimiting frontiers between the new "Succession States" of Austria-Hungary, in one or two cases after noisy sabre-rattling on the part of the disputants. It has also been called to assist Armenia and Georgia; but, difficult as it has found the task of coping with its own unruly members, the task of checking misgovernment by Turkey and Russia, which do not recognise its authority, has been, until recently, quite beyond its capacity. Now, however, it is settling a number of Armenians in the *vilayet* of Erivan.

It is natural, perhaps, that a League of Nations, brought into existence in a time of fearful storm and stress, should be timid about embarking on many international settlements in its first years. So far it has shown no desire to intrude in any quarrel where its mediation was not asked; it has been very ready to refer matters to other bodies, such as the Allied Governments, that were largely responsible; and in the case of the controversy between Chili and Bolivia, over an old treaty of forty years ago, it hastily insisted that it could not begin recommending the revision of old treaties. Consequently, States have not yet begun to look upon the League as the natural conciliator of their disputes. But it has some real successes to its credit, and should not, therefore, be too shy about undertaking new tasks. Dr. Nansen, at the 1922 Assembly, urged that the League should welcome all disputes brought to it; and in truth one may say that a grievance

once aired in the "objective atmosphere of Geneva" is already part way to solution. Before long it may be hoped that the members of the League generally will recognise this truth, and will accept more fully one of the first purposes of its existence.

V.

## DISARMAMENT

IT is not enough that the League of Nations should assert its authority as mediator or conciliator when States begin to threaten war. The purpose of the League is, or should be, to root out the causes of war.

Different people find different causes of war. Some believe that wars arise from the capitalist system and are inevitable until it is abolished. Others hope to abolish war by abolishing autocrats or by insisting on a popular vote before a war is begun. Undoubtedly the competing interest of financial groups, the desire for foreign markets and the whole system that is aptly termed "economic imperialism," have been largely responsible for most modern wars. Undoubtedly, too, the concentration of power in the hands of one or a few has led to rash, irresponsible and aggressive policies. But, even if the greed of gain and the love of power were effectively neutralised, the continued existence of munitions of war would perpetuate the danger of war. So long as States are armed for war, war will continue to massacre mankind. But if armaments could be abolished, even economic exploitation and political tyranny would lose half their power.

The first task assigned to the League in the Covenant is the reduction of armaments. Article 8 reads : "The members of the League recognise that the maintenance of peace requires the reduction of national armaments to the lowest point consistent with national safety and the enforcement by common action of international obligations. The Council, taking account of the geographical situation and circumstances of each State, shall formulate plans for such reduction for the consideration and action of the several Governments. Such plans shall be subject to reconsideration and revision at least every ten years. After these plans shall have been adopted by the several Governments, the limits of armaments therein fixed shall not be exceeded without the concurrence of the Council.

"The members of the League agree that the manufacture by private enterprise of munitions and implements of war is open to grave objections. The Council shall advise how the evil effects attendant upon such manufacture can be prevented, due regard being had to the necessities of those members of the League which are not able to manufacture the munitions and implements of war necessary for their safety.

"The members of the League undertake to interchange full and frank information as to the scale of their armaments, their military, naval and air programmes, and the condition of such of their industries as are adaptable to warlike purposes."

The following Article (9) provides for the establishment of a permanent commission to carry out this work.

The assumption in the first part of Article 8

that "national safety and the enforcement by common action of international obligations" involve the continuance of some armament cannot pass wholly unchallenged; but it will be more convenient to deal with these points in relation to the actual schemes of disarmament that have been put forward. It is enough at this point to note that Article 8, as it stands, demands strong action in three directions: first, a general and agreed reduction of armaments; secondly, the removal of the evil of private manufacture of armaments; thirdly, the publication of all information relative to the actual scale of armaments kept by each State.

The Council of the League has shown itself slow to act in this matter, and the Assembly has had to put pressure upon it to act with greater energy. The Permanent Commission was constituted in August, 1920, but this was a purely technical commission of military experts, and was not fitted to deal with the complex political questions involved. The first Assembly (November, 1920) accordingly urged the Council to set up another commission (now known as the Temporary Mixed Commission) to work out a plan for an actual reduction of armaments, this commission to be "composed of persons possessing the requisite competence in matters of a political, social and economic nature." But it was a long time before this commission got to work, and in September, 1921, it reported to the second Assembly that discussion of disarmament was practically futile whilst some of the great States were outside the League, and whilst the world was full of suspi-

cion and jealousy. A *questionnaire* sent out to the members of the League asking for a guarantee that the military budget of 1921 should not be exceeded in 1922 or 1923 had met with a poor response—some new States were only just building up their military strength; others had assumed fresh international obligations; others doubted whether budgets gave a fair indication of military strength; some would promise if the rest promised, and one or two gave “diplomatic answers” which said nothing at all. In fact, “they all with one accord began to make excuses,” and the Temporary Mixed Commission was inclined to make excuses too. Lord Robert Cecil protested in the Assembly, and accordingly he and some other energetic men were added to the Commission.

During 1922, in spite of the undeniable complexity of the situation, the commission began to discuss possible plans for reduction, but the difficulties in the way of “agreed reduction” were enormous. True, the Washington Naval Conference of November, 1921, had agreed to a reduction of capital ships according to a rough tonnage ratio of the five chief naval Powers; but, as the League Commission pointed out, the Washington Treaty was a political agreement based on a fortuitous ratio; the League Commission was a body of experts who must try to discover a “scientific” basis for disarmament. No one can deny that they tried. It is worth while observing in some detail just how hard they tried.

They began with a “statistical investigation.” First be sure of the facts; then decide how you shall act: an excellent maxim, though sometimes

difficult to practise. The facts asked for from the various Governments were the full statistics of their armaments in 1913 and 1921. Most of the important Governments complied with this request, and an impressive document called "Budget Expenditure on National Defence, 1913 and 1920-1922," was presented to the third Assembly (September, 1922), where the interpretation of the figures gave rise to acute controversy. The Governments were also asked to present statements as to "the requirements of their national security, geographical situation, international obligations and [other] special conditions." For example, one State might point out that it had no easily defensible "natural frontier"; another that it was open to attack on two sides at once; another that its neighbour-State was notoriously anarchic or imperialistic; another that it was economically dependent on a carrying trade which must be defended; another that it had distant colonies with which it must be able to keep in touch; another that its neighbours were uncivilised barbarians who did not recognise the authority of the League of Nations. And all these things, with the mileage of frontiers, proximity to "the battlefields of the world" and other "special conditions," must be carefully balanced against one another and reduced to a formula which no State can possibly dispute, before a basis can be found for the "scientific" reduction of armaments. No, even the Temporary Mixed Commission perceived the impossibility of such scientific accuracy, and was content to fall back on approximations not unlike the Washington

ratio. After all, the great thing is that the Commission should make it clear that it has taken *all* the facts into consideration.

Certainly the amount of information accumulated by September, 1922, was considerable. Not only the statistics already referred to, but also many facts with regard to frontiers, situation of vital centres, communications, how much reduction has already taken place—on the whole, the position in this respect is fairly gratifying, though it may mostly be put down to economic pressure—statements regarding special international obligations, the demands of colonial defences, the distinction between military armaments and police forces. This last question brought some illuminating replies. Italy has an army of 120,000 for purposes of internal order; France, 13,000 plus 100,000 men from the army who can be called in as required; Poland, 60,000, and so on; whilst several States make no distinction between military and police forces.

But, having discovered all this, it still remained to find a proper basis for a reduction. Should it be based on personnel? (You can hardly base the effectiveness of an army on its tonnage.) Or on the military budget? Or on both these factors? Or on some other measurement? Truly, the difficulties of a disarmament plan are very great. Lord Esher proposed a scheme based on the following principles:

“(1) That the size of standing armies in time of peace should be restricted on a numerical basis.

“(2) That the restriction should be fixed by ratio, following the naval precedent at Washington.

"(3) That the ratio should be confined to metropolitan forces, leaving each country to fix the forces required by it for colonial and overseas defence." This seems to leave a nice big loophole for States in possession of colonial empires.

"Standing armies" were to be defined as including air forces, but naval forces were not included in this scheme, as they were being considered separately. Finally, Lord Esher boldly proposed a ratio for all European States, his unit being the very small force permitted to Austria under the Treaty of St. Germain.

But the Commission did not accept Lord Esher's basis, the experts pointing out that the character of the country where military operations are likely to take place, the nature of the weapons used, and the method of military training are some of the important factors which are ignored by such a ratio ; so they would only commit themselves to the general principle that "the limitation of armaments must be imposed on the peace-time strength, bearing in mind the essential factors on which such strength is based." Yes, indeed ; but how to determine what those "essential factors" were?

Lord Esher's plan proving unacceptable, Lord Robert Cecil put forward a fresh proposal, which had a better reception. This scheme was also based on certain general propositions, and it included a proposal for a Treaty of Mutual Guarantee. This was a great comfort to certain States—for example, France and the "Succession States," who have always considered, with some reason, that the guarantee provided by Article 10 of the Covenant is vague ; other States, such as

the Scandinavians, viewed it with a good deal of apprehension. When the proposals were discussed in the third Committee of the 1922 Assembly, M. de Jouvenel, representing France, attempted to modify the scheme in such a way as to bring the guarantee into force before the States were obliged to begin reducing their armaments, and also to provide for "local" guarantees on the part of a few neighbour-States as the first step towards the general guarantee. But, as M. Branting, the Swedish Premier, and other statesmen did not hesitate to point out, these proposals would amount to a new "defensive" alliance, presumably between France, Great Britain, Belgium and Italy, and that in turn to a counter-alliance between (say) Germany, Russia and Turkey, and instead of a reduction of armaments, a new competition in armaments would be initiated, which would lead straight to a universal catastrophe. Lord Robert Cecil and M. de Jouvenel arrived at a "compromise" which left the original proposals practically intact.<sup>1</sup> The Commission was urged to work out a practical scheme on the basis of slightly modified principles, as follows:

"The Assembly, having considered the report of the Temporary Mixed Commission on the

<sup>1</sup> If anything, the proposals were distinctly strengthened as a result of the prolonged discussion between Lord Robert Cecil and M. de Jouvenel. This is worth noting in connection with the unanimity rule. If Lord Robert Cecil's first proposals could have been approved by a majority vote—as they almost certainly would have been—the French and some other States would have been annoyed, and the proposals themselves would not have been as good as they ultimately became.

question of a general Treaty of Mutual Guarantee, being of opinion that this report can in no way affect the complete validity of all the Treaties of Peace or other agreements which are known to exist between States; and considering that this report contains valuable suggestions as to the methods by which a Treaty of Mutual Guarantee could be made effective, is of the opinion that:

“ (1) No scheme for the reduction of armaments, within the meaning of Article 8 of the Covenant, can be fully successful unless it is general.

“ (2) In the present state of the world many Governments would be unable to accept the responsibility for a serious reduction of armaments unless they received in exchange a satisfactory guarantee of the safety of their country.

“ (3) Such a guarantee can be found in a defensive agreement which should be open to all countries, binding them to provide immediate and effective assistance in accordance with a prearranged plan in the event of one of them being attacked, provided that the obligation to render assistance to a country attacked shall be limited in principle to those countries situated in the same part of the globe. In cases, however, where, for historical, geographical, or other reasons, a country is in special danger of attack, detailed arrangements should be made for its defence in accordance with the above-mentioned plan.

“ (4) As a general reduction of armaments is the object of the three preceding statements,

and the Treaty of Mutual Guarantee the means of achieving that object, previous consent to this reduction is therefore the first condition for the Treaty.

" This reduction must be carried out either by means of a general Treaty, which is the most desirable plan, or by means of partial treaties designed to be extended and open to all countries.

" In the former case, the Treaty will carry with it a general reduction of armaments. In the latter case, the reduction should be proportionate to the guarantees afforded by the Treaty.

" The Council of the League, after having taken the advice of the Temporary Mixed Commission, which will examine how each of these two systems could be carried out, should further formulate and submit to the Governments for their consideration and sovereign decision the plan of the machinery, both political and military, necessary to bring them clearly into effect.

" The Assembly requests the Council to submit to the various Governments the above proposals for their observations, and requests the Temporary Mixed Commission to continue its investigations, and, in order to give precision to the above statements, to prepare a draft Treaty embodying the principles contained therein."

By the time the Temporary Mixed Commission met, early in 1923, Lord Robert Cecil had worked these resolutions into the form of a skeleton treaty. This provided, most ingeniously, on the one hand for the possibility of a specially clear and strong guarantee for States like France, who are in special

terror of their neighbours, and on the other side for small, peaceful States which do not want to be dragged into the wars of the great.

When Lord Robert Cecil's skeleton treaty came before the Temporary Mixed Commission it was subjected to sharp criticism from two sides. Some States did not think the guarantee sufficiently clear, others thought it dangerous. Efforts had therefore to be made to meet these opposite views.

Eventually the Assembly resolutions, with a modified draft treaty, were submitted to all the Governments. Their comments are illuminating. The Belgian Government believes that general disarmament "can only be attained step by step, by means of partial defensive treaties concluded between States which are exposed to a common danger"; and the great States must begin the process of disarmament. The Belgian Government also insists on the special dangers to which Belgium is exposed, "as the length of her threatened frontier and the narrowness of her territory render her specially liable to invasion." As her territory has for centuries been the battlefield of Europe, it is "more important for Belgium than perhaps for any other country that the question of the limitation of armaments should be solved."

The Canadian Government, in its reply dated June 19, 1923, "does not see its way to a participation in the Treaty of Mutual Guarantee," for "while Canada is situated in the North American Continent, she is a nation forming part of the British Empire," and she could not commit herself

to participate in a guarantee that would bind her to act whenever any part of that far-flung empire was involved.

The Chinese Government points out that its naval and air defences are both inadequate at present for defence purposes, and it cannot bind itself to reduce them. It does not say whether it is prepared to guarantee the frontiers of its neighbours, Japan or India.

The Government of the Czecho-Slovak Republic approaches the subject gingerly. It remarks that "a large measure of confidence must already exist before a State can feel sure that another State will conclude a Treaty of Mutual Guarantee without mental reservations." It favours partial treaties "designed to be extended and open to other countries," and such treaties "must be concluded only with a view to definitely specified aims." It holds that "a clear definition of the term 'aggression,' taking into account all possible eventualities, is of the utmost importance. . The criterion chosen, i.e. violation of territory, would appear too simple, as the experiences gained during the last war have shown."

The Danish Government expresses warm appreciation of the efforts of Lord Robert Cecil, whose proposals "include many points to which Denmark . . . might unreservedly adhere." It insists on the obligation already entered into by all States that have signed the Covenant to reduce their armaments, however great the difficulties may be. "Reduction of armaments constitutes 'in itself a measure calculated to remove the danger of war.' It sees great dangers in the proposals for "groups

of defensive military alliances within the League," which some States would certainly not enter ; thus new groupings of States would result, leading to fresh military rivalry. It approves the proposed definition of the aggressor as the State which first violates its neighbour's territory, and the proposal that all members of the League should "receive military delegates appointed by the League of Nations and . . . furnish them with any information they require." The Danish Government also heartily approves of a proposal put forward by Lord Robert Cecil for the creation of demilitarised frontier zones to be established between States, to be at least fifty kilometres wide ; in this zone no fortifications or military establishments could be set up. The inhabitants of the zone could not be conscripted or receive any military training, and the manufacture of arms or munitions of any kind would be forbidden. Commissioners responsible to the League would reside in the territory and see that these obligations were carried out. Denmark also urges the importance of checking war by the acceptance of new principles of international law "such as refusing any longer to recognise that war may create a right to expansion of territory or indemnities, and declaring that all gains of this nature obtained by the employment of military force shall be null and void. . . . The guarantees for which Denmark must hope are the development of International Law and the extension of the League of Nations to include at the earliest possible date those States which have not yet become members, but not the creation of military alliances." It is clear that the Danish

delegation to the League, who produced this report, meant business. Their criticisms are constructive.

To turn from this business-like and straightforward document to the French reply is like having ice poured down your back just as you are beginning to warm up in front of the fire. It is almost impossible to discover what the first few paragraphs mean ; perhaps they were not intended to mean anything. But in course of time one reaches the statements that "reductions of armaments must always take place as a sequel to the measures adopted for mutual assistance," and that France has decreased her military measures so much already that only "definite conventions between the States which are exposed to one or more common dangers" could justify any further reduction. The definitions of aggression proposed by France are so disingenuous as to be comical. Cases of aggression should, in the view of M. Poincaré, "include the case where any State :

"(a) Has failed to conform to the disarmament clauses of the Treaties of Peace ; [which Treaties and what Peace, oh, M. Poincaré?]

"(b) Has carried out industrial and economic mobilisation, either directly on its own territory, or through persons or companies acting as its agents in foreign territory;

"(c) Has secretly undertaken military mobilisation, either by the formation or employment of volunteer corps, or by measures corresponding to the proclamation of a state of menace of war."

One wonders how M. Poincaré can thus exhibit to the world his knock-kneed terror of a poor, wrecked and broken Germany. This cannot be the

best contribution France has to make to the world's peace.

The Greek Government, though approving the principles of the proposed treaty, points out the undeniable fact that "if a State agreed to a general reduction of armaments in return for a mutual guarantee, it might literally be crushed in a few days, before the guarantor States could possibly intervene. . . . When the question of disarmament is on the way towards practical realisation—which will not be until order, mutual confidence and security are again restored in place of the present unstable and disturbed condition of Europe, and particularly of the Near East—Greece will be among the first to adhere to a general plan for the reduction of armaments."

The Italian Government is "of opinion that, if useful work is to be accomplished, it is necessary that the questions of the reduction of armaments and of the Pact of Mutual Guarantee should be dealt with simultaneously, and that the joint solution of these problems should be of a general character and complete in all its details."

The Dutch Government points out that the League Covenant itself is supposed to provide the guarantee required for reduction of armaments, and if this has not been achieved the reason is to be found, not so much in the inadequacy or unsatisfactory nature of the Covenant, as in the absence from the League of certain Great Powers, without whose co-operation disarmament is impossible. Moreover, moral disarmament involves not only a sense of security such as a guarantee treaty might provide, but also, first, the settlement of the

chief existing animosities. Although it believes that some form of guarantee must precede disarmament, the Dutch Government disapproves the scheme proposed, as opening the door to a new system of defensive alliances and a return to the system of the balance of power, from which it was intended that the League should save mankind. It is suggested that confidence would be strengthened if the Great Powers would accept the obligatory competence of the Court of International Justice.

The Norwegian Government does not feel free to commit itself to a more definite guarantee scheme than that already provided by the Covenant of the League. It points out that "according to Article 8 . . . the members of the League are bound to endeavour to secure a general reduction of armaments, even without any other guarantees." "The Norwegian Government holds the view that the most effective guarantee of peace would consist in the actual reduction of armaments, and in the development of the system provided for in the Covenant for the solution of international disputes, and not in international sanctions of a military character." In any case it suggests that the guarantee should only apply to States which have reduced their armaments, which have registered all their international conventions, and which have accepted the obligatory jurisdiction of the Hague Court. All States, whether members of the League or not, should be free to adhere to a single, general treaty.

The Polish Government, on May 30, 1923, was still in ignorance of the nature of the League of

Nations ; for it expresses the opinion that "co-operation between the League of Nations and the Governments of the States-members of the League constitutes the surest guarantee" for the reduction of armaments. This is meaningless. For the League of Nations is merely an association formed by those Governments. The clause might be re-written : "co-operation between the Governments of the States-members of the League acting together and the same Governments acting separately," which does not seem very helpful: unless, indeed, it is intended to hint at the way in which Governments speak with one voice at Geneva and another elsewhere. The Polish Government desires military guarantees among States which have "direct common interests" only. "As a basis for its own reductions, every State must primarily consider the reductions in the forces of enemy countries which are its immediate neighbours. It would therefore be desirable to conclude regional agreements for the reduction of armaments between neighbouring States whose relations are not friendly." But is any State likely to conclude such agreements with States that it distrusts? The Polish Government seems to put the cart before the horse.

The Portuguese Government does not see why the suggested regional guarantee pacts should be any more effective than old-fashioned treaties. It would like to see all the armed forces of the nations placed at the disposal of the League Council.

The Spanish Government insists on the importance of a definition of military aggression. "As

regards the reduction of armaments, it is the duty of the Great Powers to take the lead in this direction."

The reply from Sweden is similar in tone to that from Norway. She cannot undertake further obligations than those involved in the League Covenant, especially in the present disturbed condition of the world. Her Government also urges the need for a more general acceptance of the obligatory jurisdiction of the Hague Court, as a first sign of goodwill.

"Switzerland can only welcome and second any endeavours which the Powers may make to achieve a general reduction of armaments"; but she will not depart from her guaranteed neutrality.

Replies were also received from eleven other Governments. The States of Central and South America have only small armaments, and the problem is not so acute for them as for Europe.<sup>1</sup>

These varied points of view indicate the difficulty that confronted the Temporary Mixed Commission and the 1923 Assembly. Could they possibly be all met? The Commission did its best, accepting in the main a revised draft by Lieut.-Colonel Requin, and the result was submitted to the Assembly, where it again underwent the most careful scrutiny. The Article providing

<sup>1</sup> The three chief Latin American Republics (Brazil, Argentina, Chili) in 1921 spent only £16,000,000 on armaments, whilst the three Scandinavian countries, the most lightly armed in Europe, with much smaller populations, spent £14,000,000. The total expenditure of all Latin America on armaments was only £43,000,000.

for partial treaties, in particular, was fully discussed. The Italian Government wanted such treaties to be confined within very strict limits ; the Spanish, Japanese, Dutch, Norwegian, Swiss and South African representatives were all very critical and openly hostile ; the representatives of France, Portugal, Czecho-Slovakia, Poland, Rumania and Greece expressed their approval. At the end of the discussions in the committee of the Assembly fifteen States voted in favour of the Treaty, five against, and five abstained. It is to be noted that M. Lange, on behalf of the Norwegian Government, expressed that Government's readiness to accept the Treaty. This is significant, because M. Lange had from the beginning been most critical of the attempts made to provide for the guarantee before the disarmament.

As finally accepted in the Assembly for circulation in its complete form to the States-members of the League the Treaty consists of a preamble and nineteen articles.

The first article begins with the words : "The High Contracting Parties solemnly declare that aggressive war is an international crime and severally undertake that no one of them will be guilty of its commission." Seeing that every war is an act of aggression on the part of some State or other, this is in effect a declaration that all war is contrary to International Law. It is true that this fine statement is immediately followed by a paragraph permitting war when all the resources of mediation and arbitration have been tried and have been accepted by one party to a dispute but not by the other. This does not seriously affect

the "outlawry of war" declared in the earlier sentence.

Article 2 declares that each signatory of the Treaty will come to the aid of any other which is "the object of a war of aggression, provided that the latter has conformed to the provisions of the present Treaty regarding the reduction or limitation of armaments." But on turning to Article 11, which deals with disarmament, one begins to doubt whether the said provisions are adequate to ensure any actual reduction of armaments. The States undertake to inform the Council "of the reduction or limitation of armaments which they consider proportionate to the security furnished" by the Treaty. They also undertake "to co-operate in the preparation of any general plan of reduction of armaments which the Council of the League . . . may propose. . . . This plan should be submitted for consideration and approved by the Governments, and, when approved by them, will be the basis of the reduction." They "undertake to carry out this reduction within a period of two years from the date of the adoption of this plan." But supposing they do not approve the plan, and supposing it is never adopted, what then? No guarantee is provided that they will accept the plan for reduction at all. However, if they do not, it seems clear that the guarantee will be of no effect; for the last paragraph of Article 18 (in its present tentative form) reads, "It remains understood that the rights stipulated under Articles 2, 3, 5, 6 and 8 of this Treaty will not come into force for each High Contracting Party until the said High Con-

tracting Party has reduced its armaments " or is certainly about to do so. This is good, and the proposal for demilitarised zones in Article 9, though of no legal value in its present form, is a good suggestion. But some clauses of the Treaty seem to provide loopholes, as the Dutch and other representatives in the League clearly recognised, for dangerous policies. Thus Article 5 gives the Council authority to determine what forces each State shall place at its disposal if the guarantee is to be put into effect. And under Article 8 the States that have made partial agreements (which must be published and approved by the Council) are to act in cases of war without even waiting for the Council to decide who is the aggressor. This is not the way to secure peace. It is all very well to say that the facts of to-day must be recognised ; that defensive treaties exist, and should be made as innocuous as possible. A defensive treaty cannot be innocuous, and if such treaties have the sanction of the League they will bring discredit upon it as an organ for ingeminating peace.

In view of the strenuous labours of Lord Robert Cecil and other ardent workers for disarmament during the past two years, it seems ungracious to find fault with the concrete proposal they have at last been able to submit to the world ; and the present writer has only come to the conclusion that the scheme is unsatisfactory after careful weighing of the pros and cons, and with much reluctance. Even now I almost hope my judgment may be mistaken. The way to disarmament is very difficult ; States are not likely to disarm

until they feel secure ; but I cannot believe that a mutual assurance treaty of the kind here described will avail to produce that feeling.

The preparation of this treaty, though the most important work undertaken by the League towards disarmament, is not all. The 1922 Assembly provided for the holding of a Naval Conference, which is due to take place early in 1924, at which the Washington agreement for limitation of tonnage of capital ships may be applied to other naval States in addition to the few concerned in that Treaty.

Another conference is to be held shortly to consider how proper control of armament manufacture may be provided, and a good deal of preliminary investigation has already been undertaken.

In 1919 the States represented at the Paris Conference agreed to a convention for prohibiting the export of the surplus armaments left on their hands. Only ten States ratified this convention, six of them Central or South American States (including Brazil and Chili), two Asiatic (China and Siam) and two European (Finland and Greece). That is to say, it remained unratified by all the Great Powers and by all the States having important armament factories. It is probably not too much to say that, but for this, the war in the Near East, between Turkey and Greece, would not have been fought. The chief blame undoubtedly attaches to the United States of America. All the other States have agreed to ratify as part of a general ratification, but the United States Government, having equivocated

through three disastrous years, whenever the League Armaments Commission pressed the convention upon its attention, finally, in September, 1922, presented the League with a refusal—accompanied by no adequate explanation.

So in September, 1922, when the mischief had been done, the League had to begin all over again with proposals for a fresh conference to draw up a fresh convention, which the United States was invited to draft. It took the American Government nearly a year to respond to this invitation ; it then informed the Temporary Mixed Commission that it was considering the matter. The Assembly accordingly suggested that its consideration might reach an earlier conclusion if it were to appoint a representative to discuss the matter with the Temporary Mixed Commission. The answer to this invitation is not yet known.

A further word may be said regarding the whole problem of disarmament. It is often declared that States will not disarm until they feel secure ; therefore it is a waste of time to talk about disarmament until some security has been provided. The Covenant of the League does, in fact, provide security for any State that is attacked, but hitherto the guarantees provided by the Covenant have been regarded by most States as rather less effective even than the average treaty. The reason why each State has so little faith in the League is that every other State continues armed, showing that it does not feel secure, and is still going to depend, "in the last resort," upon its own military strength. In other words, you cannot get security until you have disarmament. Now, if both these

statements are equally true, surely the world is locked in a vicious circle. One may hope, desperately, that economic pressure will force a measure of disarmament, and that a State that had once begun to disarm would discover the benefits of disarmament and so continue the process. And this is happening to some extent. But it is not enough.

The nations may be induced to agree to disarm ; but it will be a very difficult task. What the world awaits is one nation which has the courage and common sense to take the lead. Why not Great Britain? Sir Henry Campbell-Bannerman tried to lead his country and the world towards disarmament in 1906 and 1907, but he died ; the proposals made at the Hague Conference of that year failed—chiefly, it must be said, because of German opposition—and the Government of Campbell-Bannerman's successor had not the courage to continue his policy. At Washington, in 1921, both the United States and Great Britain showed a certain courage, whatever the cynic may say of their motives. But the world still waits for the nation that will not be deterred from a disarmament policy by the lack of an immediate response. The policy involves risks ; all great actions do. But the risk of piling up armaments is greater, for it leads inevitably to war ; and the way of disarmament may lead to peace. The nation that ventures to lead the way will raise its own credit in the eyes of the world, and will improve the whole atmosphere of public morality. That will be a worthier achievement than many military victories.

## VI

### THE LEAGUE AND GERMANY

THE first grievance of the Germans against the existing League of Nations lies in this: the new Germany, filled with the ardour of her successful revolution of November, 1918, was enthusiastic for a new international order, based on a universal League of Nations, in accordance with the terms of the armistice and the fourteen points of President Wilson. In course of time they were presented with a Treaty, whose opening chapter was the Covenant of the League ; they were told : " You must sign this League of Nations Covenant, but the League itself you may not enter."

Then again the connection of the League with the Treaty of Versailles is not confined to the position of the League Covenant as the first chapter of that Treaty. The League of Nations is directed to perform various tasks under the Treaty. It was not given a free hand ; it was not invited to consider whether the tasks proposed were just and equitable in themselves ; it was simply to make certain decisions, under the terms of the Treaty. Nothing shows more plainly that the Allied Powers, or some of them, regarded the League as a useful piece of machinery for executing some of their private designs ; nor did they regard

it as an organisation which, from its nature, ought to be able to revise or modify the decisions made by any single group of States.

First, the League of Nations is invoked in the decision with regard to the territory of Eupen and Malmedy on the borders of Belgium. This territory, which had been part of Germany, was claimed by Belgium at the end of the war. It was ceded to Belgium by Article 34 of the Treaty of Versailles, with the proviso that, "during the six months after the coming into force of this Treaty, registers will be opened by the Belgian authorities at Eupen and Malmedy in which the inhabitants of the above territory will be entitled to record in writing a desire to see the whole or part of it remain under German sovereignty. The results of this public expression of opinion will be communicated by the Belgian Government to the League of Nations, and Belgium undertakes to accept the decision of the League." Whatever the opinion of the inhabitants may have been, it was hardly to be expected that many of them would have the courage to express openly, under the eyes of the Belgian authorities, their desire to get rid of those authorities. The few who did register their protest ought to be decorated for valour.

The League might conceivably, under the wording of the Treaty, have insisted on a plebiscite under neutral auspices and with secret voting; but, in spite of the protest of the German Government, the League Council acquiesced, the district remained Belgian, and the few score heroes who had registered were left to the vengeance of the authorities. Whether or how they wreaked

their vengeance history does not seem to relate. Perhaps they relented. If not, Germany doubtless knows, though England has not been told.

Articles 45 to 50 of the Treaty (with annexes) provide for a special administration of the Saar basin. In order to compensate France for the destruction by the German armies of the coal-mines in North-East France, for which France is also specifically compensated in another part of the Treaty,<sup>1</sup> the Saar mines were ceded to France absolutely. It is curious that, although President Wilson and Mr. Lloyd George both opposed the French claim to annex the Saar territory, neither of them seems to have realised that France was being compensated twice over for the same thing. The French claim to annexation was based on false history, unreal sentiment, and a mysterious appeal from 150,000 inhabitants which President Poincaré was said to have received in 1918. No one has been able to trace these 150,000 Franco-phile Saarlanders before or since.<sup>2</sup> In the end President Wilson and Mr. Lloyd George consented that the government of the territory should be

<sup>1</sup> Part VIII, Section I, Annex V, § 2.

<sup>2</sup> A writer in the *Frankfurter Zeitung* (October 15, 1923) professes to have discovered the truth about this claim. Someone wrote a letter suggesting that, if all the descendants of those who welcomed the French revolutionary armies at the end of the eighteenth century were still living in the Saar, they ought by 1918 to amount to about 150,000. From this hypothetical calculation President Poincaré created the myth of the 150,000 Saarlanders who desired union with France. Whether this is the true version or not, it is certain that the legend must have had a very shadowy—not to say shady—origin.

renounced by Germany "in favour of the League of Nations in the capacity of trustee." In whose interest is this trust to be exercised? Article 46 of the Treaty says : "In order to assure the rights and welfare of the population and to guarantee to France complete freedom in working the mines, Germany agrees to the provisions" which follow. So that the Governing Commission instituted by the League of Nations has two primary duties: first, "to assure the rights and welfare of the population"; secondly, "to guarantee to France complete freedom in working the mines." Supposing that these two duties conflict, what then? The Treaty does not say. It does say, however, that "The Governing Commission shall have the power to decide all questions arising from the interpretation" of these provisions of the Treaty. So that if the Governing Commission concludes that it is bound to put the economic interests of France before the rights and welfare of the population, it can claim to be conforming to the letter of the Treaty—and perhaps still more to its spirit.

The Governing Commission, according to the Treaty, "shall consist of five members chosen by the Council of the League of Nations, and will include one citizen of France, one native inhabitant of the Saar basin, not a citizen of France, and three members belonging to three countries other than France or Germany. . . . The chairman will act as the executive of the Commission."

The Council of the League, meekly doing as it was told, appointed a Governing Commission, consisting of a French chairman, who can speak no German, an inhabitant of the Saar who did not

represent the majority of the people, a Belgian, a Dane and a Canadian. The Dane lived for many years in Paris ; he is the son of a Danish Minister in Paris who held his post there for thirty-five years ; he was nominated by the French Government, and his appointment seems to have been consented to by the Danish Government with some hesitation. The Canadian, Mr. R. D. Waugh, has voted against the majority of the Commission on one or two important occasions, and at least once he was supported in this action by Dr. Hector, the Saar member. Both these members have now resigned. The Council of the League for three years regularly upheld the authority of the chairman-executive against all protests on the part of Germany and all complaints of the inhabitants, and it has not changed any of the members, although it has the right to do so annually.<sup>1</sup>

The Treaty lays down that "At the end of fifteen years from the coming into force of the present Treaty the inhabitants of the said territory shall be called upon to indicate the sovereignty under which they desire to be placed." It is further laid down that "all persons without distinction of sex, more than twenty years old at the date of the voting, resident in the territory at the date of the signature of the present Treaty, will have the right to vote" ; but there is nothing to say that no one else may vote.

The Governing Commission showed itself in no

<sup>1</sup> The Saar member resigned from the Commission in March, 1923, under circumstances which seem to indicate that accusations made against him had solid foundations. His successor is apparently an unpopular nonentity.

hurry to compile a register of the inhabitants of the territory for the purpose of the vote, so the population began to compile their own register; the executive interfered and stopped this. Moreover, the Commission issued a decree defining the term "Saar inhabitant" in such a way as to leave a loophole by which foreigners—e.g. French workers introduced to work in the mines—might participate in the final vote. In the end, after long delay, a real effort has apparently been made to compile the necessary voting lists, which were nearly complete at the end of 1923.

It is laid down in the Treaty that "there will be no military service, whether compulsory or voluntary, in the territory of the Saar basin, and the construction of fortifications therein is forbidden. Only a local gendarmerie for the maintenance of order may be established." In spite of this a body of several thousand French troops has been maintained in the territory, and the local gendarmerie has not yet been properly formed, for the simple reason that few Saarlanders can be found whose loyalty to the Governing Commission is sufficiently clear for the Government to enrol them. By the end of 1923 the maximum recruited will be 355; 4,000 is the total required for "any kind of incident"; in "normal conditions" 2,000 would be the minimum. As only 200 can be recruited in a year, according to present plans, it seems likely that the French troops will remain for some years, though one member of the Governing Commission (Mr. Waugh) seemed to think the Saar would be safe if the troops remained in Lorraine to be called on in case of need. It

should be added that this independent-minded member declared "that the French troops had behaved in an exemplary manner." "He had never heard a word of complaint against their conduct from any inhabitant of the Saar." This is good to know, but it does not satisfy. The League Council has periodically "encouraged" the Governing Commission to send the troops home to France and to hasten the recruiting of the gendarmerie; but nearly 2,000 French troops remain.

Great delay took place in the calling together of an elected Advisory Council which must be consulted before any new laws or taxes can be put into force in the territory; it should be noted that this Council has no veto. The inhabitants are guaranteed their local assemblies, religious liberties, schools, language and certain other rights under the Treaty, so that the Governing Commission is not all-powerful.

The complaints with regard to the introduction of the franc instead of the mark as the ordinary currency are not altogether reasonable, though easy to understand. As the Treaty brings the Saar basin under the French Customs regime, the introduction of the franc was probably inevitable and even desirable for the welfare of the inhabitants. In fact, the economic policy of the Saar executive appears to have been generally sound. It has been in the hands of Mr. Waugh.

When the franc was first introduced as payment for the wages of the miners, they were very well satisfied, as they had a comparatively stable and good currency with which they could buy goods that were priced according to the depreciating

mark. But with the general introduction of the franc the miners lost this advantage; moreover, the wages were far below the wages paid to miners in France. Having failed in their effort to get an increased wage, at the beginning of 1923 they went on strike. This strike, coming just after the invasion of the Ruhr by the French, was regarded by the Governing Commission as semi-political, probably with some justice. When the strike had continued for a month, on March 7th the Commission, without consulting the Advisory Council, issued a decree threatening with five years' imprisonment and a fine of 10,000 francs any person who should "cast discredit on the Peace of Versailles, or insult or traduce the League of Nations, its members, or the States signatories of the Peace of Versailles," and for other similar "crimes." As one of the signatories of the Treaty of Versailles was Germany, practically every editor of a newspaper in Europe, as Lord Robert Cecil pointed out, would be liable to prosecution under this ordinance, if he happened to visit the Saar. The excuse given for its promulgation was the menacing tone of the local Press, especially towards the Saarlanders who had accepted office under the Commission. Mr. Waugh, however, thought the officials were quite secure, and none of the 500 in his own department had complained. Moreover, no "incident" had occurred to warrant such an arbitrary act.

When the League Council met in April, M. Branting, the Swedish Premier, protested against the decree, and he received some support from Mr. Wood, who was representing Great Britain.

But nothing effective was done. At the July meeting Lord Robert Cecil was the British representative, and he proposed that a full inquiry into the Saar administration should be held. M. Hánotaux, the French representative, was disposed to object, but he finally consented, Lord Robert Cecil pointing out that if the charges levelled against the Commission were groundless, it was important that its authority should be vindicated, whereas if they were true the Council must not shirk its responsibilities. M. Branting wished to summon representatives of the people of the Saar, but in the end the Commission alone was cross-examined. Two sittings were given to this, and the questions put, mostly by Lord Robert Cecil, to M. Rault, the chairman, and to some other members, were searching and thorough. The sittings were private, but full minutes have since been published in the Official Journal of the League. The Governing Commission reported that the emergency decrees had been withdrawn, a general amnesty granted and the strike brought to a close, the miners having got some of their demands. So much public opinion and the proposal for the inquiry had achieved. The Council, at the close, passed a resolution of an extraordinarily non-committal character, though it includes the explicit statement that "the Commission is responsible to the League of Nations for the execution of its duties." They could do little more; for M. Rault was able to show that the Commission had been acting in accordance with the Treaty of Versailles. It is the Treaty rather than the Commission that must be criticised; this whole chapter of the

Treaty is based on falsehood ; it is unworkable and exasperating. In economic policy, and in some other respects, the Saar seems to be well-governed ; and since the catastrophic fall of the mark the Saarlanders may be glad to be temporarily outside Germany. But good government is a poor substitute for self-government. As long as the League of Nations is involved in the administration of the Saar, however well it may exercise its trust, its character as an organ of international justice will be compromised in the eyes of all good Europeans. The present administrative system cannot be reformed ; it can only be abolished and German sovereignty restored, and the sooner the better. That is the only way to justice and peace.

Articles 100 to 108 of the Treaty provide that Danzig, with the adjoining territory, shall be a "Free City," controlled by a High Commissioner appointed by the League of Nations, and provided with a Constitution guaranteed by the League. Danzig, it is to be observed, is almost surrounded by territory that has been assigned to Poland, and the Poles hoped to have Danzig included in their territory in order to give them free access to the sea; for although the territory actually assigned to them reaches the sea, and so completely separates the territory of East and West Prussia, it includes no seaport. The Treaty of Versailles, however, makes special provision for the inclusion of Danzig within the Polish Customs frontiers ; it guarantees to Poland the free use of and right to develop and improve all waterways, docks, basins, wharves and other works within the territory of the Free City ; also rights on "the Vistula

and the whole railway system within the Free City . . . and postal, telegraphic and telephonic communication"; it also guarantees Poles against any unfavourable discrimination in Danzig, and the conduct of the foreign relations of Danzig is placed under Polish control.

What remains, then, of the Free City? Some Poles assumed that nothing remained but a nominal supervision by the League of Nations, and that that might not last long. One of the special powers given to the High Commissioner by the Treaty was the duty of arbitrating in disputes between the Free City and Poland, and the Poles perhaps assumed that a Frenchman or other friendly ally, hostile to all things German, would decide every dispute in favour of Poland. An Englishman was appointed, and he took his duties in a different sense.

The Constitution, drawn up by the inhabitants of Danzig in consultation with the High Commissioner, was approved by the Allied Powers at the end of 1920, and thereupon came under the guarantee of the League. This Constitution lays down, among other things, that the Free City shall not be used as a military or naval base, and that all manufacture of war material shall be forbidden. The High Commissioner refused to allow war material to pass through Danzig when the Poles launched their campaign against Soviet Russia. This raised violent protests from Poland. In the end the High Commissioner resigned, but his successor, General Haking, another Englishman, did not materially modify his policy of regarding the welfare of the

Danzigers and the integrity of the territory as having first claim upon his loyalty. Frequent difficulties have arisen in respect to decisions of the High Commissioner, sometimes complaints from Poland, sometimes from Danzig. But the High Commissioner has been supported by the League in his attempts to be fair to both parties, no less than the Saar Governor has been supported in his partiality to French interests; the people of Danzig have retained their German language and the control of their internal affairs; and Poland, whose history so far has been a sad tale of military adventures east, west, north and south, has had to recognise that Danzig is not to be such an easy prey as was first anticipated.

By the end of 1922 the finance of the city had got into a serious condition. It was saddled with part of the German debt, and had retained the German mark as its currency. The proposal made by the League, that it should introduce a new currency so as to save itself from the disastrous effects of the fall in the value of the mark, did not at first meet with approval. Early in 1923, just when the invasion of the Ruhr and the Lithuanian *coup* at Memel were agitating Europe, General Haking resigned in order to take up another post to which the British Government had appointed him. His successor, Mr. MacDonnell, seems to have proved equal to the difficult and delicate situation that confronted him. He has withstood further pressure from Poland. The League of Nations has been able to postpone the payment of Danzig's external debts, and at the beginning of November, 1923, when the mark

was running into billions to the dollar, and the inhabitants of Danzig were suffering almost as dreadfully as those of other great German cities, a new currency was introduced which may yet save the city from destitution.

How far the Treaty arrangements for Danzig are reasonable remains an open question. Before the partitions of Poland at the end of the eighteenth century there was a Polish corridor to the sea, including Danzig, and separating East from West Prussia. But the 130 years' occupation by Germany has altered the whole situation. Danzig is now a German city ; and it is doubtful whether the inhabitants of the Polish corridor to the sea, if given the opportunity, would have voted for inclusion in the new Poland. Two wrongs do not make a right.

Whether any further adjustment of frontiers is really necessary is, perhaps, an open question ; if it can be avoided, Europe will be the gainer. The communication by rail between East and West Prussia is guaranteed, and this arrangement is working smoothly. The Danzig regime, though open to criticism, is perhaps as good as is likely to be achieved in an imperfect world ; and if Poland and Germany will both accept it loyally, Danzig may look forward to a new prosperity, Poland developing her overseas trade, and North Germany trading freely with Eastern Europe.

Similar rights to those guaranteed to Poland on the Vistula and at Danzig should some day be guaranteed by the League of Nations to other land-locked States such as Austria, Czecho-Slovakia, Switzerland and Hungary.

Under Articles 119 to 127 of the Treaty of Versailles Germany gives up all her colonies and other oversea possessions to the Allied and Associated Powers. Those Powers have divided out the spoil amongst themselves, but have agreed to administer the territories under a system of "mandates," the League of Nations being responsible for seeing that the conditions of the mandates are fulfilled. The League of Nations is not so closely involved here, at least from the German point of view. It has not had any say in choosing the mandatory. Nevertheless, it has become implicated to some extent. Though not a receiver of stolen goods, the goods have been put under its protection. It would be well if Great Britain would lead the way in handing back her mandatory authority over the territories that are under her immediate control to the Germans; all fair-minded observers seem to agree that the German colonial administration, though frequently stern and occasionally brutal, was in many respects exceptionally good; and the virtual annexation of these territories at the end of the war was a flagrant denial of the avowed unselfishness of British participation in the war. It is desirable, in the interests of the Africans, that this transfer should take place soon, so that the German Government may speedily establish an administration in conformity with the mandatory principle, which shall ultimately educate the people for self-government.

The League of Nations is also given certain authority over the conditions of navigation and transit on various waterways and railways as laid down in the Treaty; and its authority is invoked

in one or two minor matters. But the most vital action it has taken where the interests of Germany are affected has been the settlement of Upper Silesia, a matter that was only brought under its jurisdiction at a late date, by the failure of the Allied Powers to agree among themselves.

Article 88 of the Treaty says : " In the portion of Upper Silesia included within the boundaries described below, the inhabitants will be called upon to indicate by a vote whether they wish to be attached to Germany or to Poland " ; then follows the delimitation of the frontiers of the plebiscite area. The Polish and German Governments agree not to act in a way calculated to prejudice the free decision of the inhabitants ; and a lengthy annex provides for a temporary occupation of the area by Allied troops, and for the manner of holding the plebiscite. Any man or woman over twenty who had been born in the territory or who was already resident there at the end of the war was entitled to vote. The following stipulations are important in view of subsequent events : " Every person will vote in the commune where he is domiciled or in which he was born, if he has not retained his domicile in the area. The result of the vote will be determined by communes according to the majority of votes in each commune. On the conclusion of the voting, the number of votes cast in each commune will be communicated by the commissioner to the Principal Allied and Associated Powers, with a full report as to the taking of the vote and a recommendation as to the line which ought to be adopted as the frontier of Germany in Upper Silesia. In this

recommendation regard will be paid to the wishes of the inhabitants as shown by the vote, and to the geographical and economic conditions of the locality." It is also provided that within one month after the decision has been notified the respective German and Polish authorities shall "take over the administration of the territory which it is recognised should be" German and Polish respectively.

The meaning of these provisions has been disputed. They seem to warrant the expectation that the territory would be divided. It is to be noted, however, that identical words are used in the plebiscite arrangements for Allenstein and Marienwerder (East Prussia), but in both cases the whole territory was assigned to Germany as a result of large majority votes. Similar provision for voting by communes was also provided for the Schleswig plebiscite, but in this case also the boundary drawn as a result of the plebiscite did not deviate from the boundary of the voting zones. So the Germans had, perhaps, some reason for inferring, as many of them did, especially in view of the economic unity of Upper Silesia, that the territory would not be divided. Moreover, it is claimed that if the voters had anticipated the possibility that the province would be cut in two they would not have voted as they did. This seems doubtful.

Upper Silesia was conquered by Prussia from Austria in 1742; it had not been connected with Poland since the fourteenth century. Most of the inhabitants, however, were Polish in race and language. During the latter part of the nine~~enth~~

century the coal deposits in this area were exploited by the German Government ; towns and industries sprang up ; and the industrial population, especially the skilled workers and officials, was largely German. The Polish country population was oppressed by the German Government. The coal seams crossed the frontier into Russian Poland ; but Russia had not exploited them to any extent ; so, when the new Poland was being established in 1919, the Poles naturally looked with covetous eyes upon the well-developed mines across the frontier, and demanded the incorporation of Upper Silesia in their new State. The Allies were prepared to agree ; but the German Government remonstrated, and a plebiscite was accordingly provided for.

Troubles at once began. In August and September, 1919, revolts broke out among the Poles, which were suppressed by German troops.

As soon as the Allied Commission, consisting of British, French and Italians, was established in February, 1920, rumours reached England that the French troops, who were the great majority, were encouraging Polish propaganda ; and this was confirmed by some investigators. For a year the occupation went on, the vote being postponed until the early part of 1921. British troops joined the French and Italians early in March, 1921, to assist in restoring order. The voting took place on March 21st, without serious incident; over 90 per cent. of those entitled to vote did so ; on the voting day, therefore, it seems clear that there was no terrorism. 707,000 people voted for Germany; 479,000 for Poland ; so that a third of the Polish-

speaking people voted for Germany. In the "industrial triangle" the towns voted by large majorities for Germany; but some of the surrounding country districts showed Polish majorities. The western half of the territory was clearly assignable to Germany; small parts in the south and east to Poland; but the industrial triangle, the part that everybody cared about, was still disputable. The British and Italians apparently wanted to assign most of it to Germany; the French to Poland. The attitude taken by the Japanese Government seems to have been non-committal. When it became clear that the Allies could not agree, Korfanty, the leader of the Polish Nationalist movement in Upper Silesia before the war, took possession, the French troops offering no resistance and the Italians losing forty soldiers. Energetic intervention by Mr. Lloyd George, however, led to the dispersal of Korfanty and his band, but still the Allies could not agree.

Finally, in August, 1921, the Council of the League of Nations was asked to study the question, the Allies undertaking to accept their verdict.<sup>1</sup> The Council agreed to act.

It appointed four of its eight members to make investigations and to propose a solution. These four were the representatives of China, Spain,

<sup>1</sup> The League was simply asked to interpret the Treaty—in other words, to settle the dispute among the Allies, not to settle any dispute with Germany and Poland, who were bound by the Treaty to accept the decision of the Allies. Consequently the German and Polish Governments were never asked for their opinions, though a number of Polish and German witnesses were heard by the League's Commission.

Belgium and Brazil. The four great Allied Powers, Britain, France, Japan and Italy, did not participate. But German critics pointed out that even the four who acted, including a representative of Belgium, an ambassador in Paris and an ambassador in London, were not really "neutral." It does not follow, however, that an ambassador is particularly hostile to the enemies (or former enemies) of the country to which he is accredited. The Chinese are mostly inclined to sympathise with Germany, both being "underdogs" at present.

Two Sub-Commissions were appointed, one to make proposals for guaranteeing the protection of minorities, the other to draft a scheme for preserving the economic unity of the area. Neither Sub-Commission knew where the boundary was to be drawn.

The boundary proposed by the Committee of four assigned over 80 per cent. of the industrial area to Poland. The principle by which this division was made seems to have been that the racial minorities on the two sides of the frontier should be equal. The alternative and, one would have thought, just principle in drawing a frontier is to draw it as near the dividing line of majority and minority as possible. If this had been done, the important industrial towns of Kattowitz and Königshütte would have been retained by Germany ; as it was, they were assigned to Poland. The territorial division was a compromise between the British and French views, founded on an ingenious, but unconvincing, principle of division. France being a member of the League Council, and the decision of the League having

to be unanimous, the solution was probably the best that could be made. In view of the voting figures, the decision was much too favourable to Poland, and the part wrongly assigned to Poland was the most important part of the industrial area.

If Poland had been permitted to turn the new political frontier into an economic frontier too, the award would have been disastrous indeed. But, having drawn a frontier which was economically impossible, the Committee proposed every possible means of rendering it economically negligible. The settlement provides that the railway and tramway systems are to continue under unified joint control for fifteen years; railway rates are to be uniform, delay of workers' trams crossing the frontier is to be minimised; social and economic insurance of the railway workers is to be administered as a single system; profits or deficits are to be divided between the two States according to the length of railway in each territory. The existing systems of electric power and water power are to be largely maintained. The German mark is to continue as the legal currency, not only for money transactions, but also for postal, telegraphic and telephone charges. Though the customs frontier is to coincide with the political frontier, it is laid down that "during a period of fifteen years the natural products which originate in and come from one of the two zones of the plebiscite area, and are destined for consumption or use in the other zone, shall cross the frontier free of duty." And the same applies to the raw materials, and half-manufactured or unfinished goods of the district, provided the final product is intended for

re-importation to the country of origin. The two countries also guarantee to facilitate in various ways "the export from their respective territories of such products as are indispensable for the industry of either zone of the plebiscite area." For the fifteen-year period, moreover, Poland is to permit the export to Germany of coal from the Polish mines, and vice versa. The unions of employers and workers and benefit societies in the district are not to be dissolved. Various other rights are also conserved. Finally, provision is made for the protection of minorities under the guarantee of the League.

The economic arrangements, outlined above, have been thoroughly elaborated by a commission of Germans and Poles, and are apparently working well. This is very much to the credit of both Germans and Poles, especially in view of the intense anger that prevailed in Germany, and has continued, since the territorial award was known.

The German criticisms of the settlement appear to be these : First, many Germans expected that the whole area would go together, according to the majority of votes cast ; the reasonableness of this expectation has already been discussed. Secondly, the settlement assigns to Poland certain large industrial towns that voted almost unanimously for Germany, and four-fifths of an industrial area for whose development Germany is responsible. This is true, and the German claim to these towns is just. Thirdly, the settlement greatly increased the difficulties of the German Government in paying reparations by depriving her of a fifth or a quarter of her total coal

resources and other important sources of wealth. And the question thereupon arises, Ought the League to have taken this into consideration? To which the present writer is inclined to reply, that if the League had had a really strong authority, respected by all nations, the Committee of four would, in putting forward its proposed solution of the Upper Silesian question, have pointed out that this solution must greatly diminish the German capacity to pay; and, in view of the difficulty the Allies had already found in agreeing upon a scale of reparation payments, it might have gone on to suggest the reference of the whole reparation question to the League for decision. Very likely the French, and possibly other Governments, would not have agreed to do this; but if some such proposal had been brought forward it would have shown that the League was fully alive to the difficulties of the situation.

Viscount Ishii, the Japanese President of the League Council, had expressed the opinion that the reference to the League of the Upper Silesian dispute had been made "without reserve and without restriction." This, perhaps, goes beyond the actual terms of reference; but if the League had felt strong it could certainly have pointed out the effect of its proposals on the question of reparation payments. It is true that the actual reference to the League did not contemplate any such wide consideration of the application of the Treaty of Versailles; but, in looking back from the frightful position reached in 1923, one cannot but regret that, when the League was called in to settle one difficulty arising out of the Treaty, it made no effort to extend its intervention to the settlement

of a section of the Treaty that was already at that time causing international crises. A few months earlier the Allies had already occupied fresh German territory in defiance of the Treaty. This, and the renewed difficulties that were bound to arise in consequence of the Upper Silesian decision, provided quite sufficient ground for an attempt at intervention by the League.

But, however much one may deplore the missing of this great opportunity, the League still deserves some credit for what it accomplished. As a result of its intervention, a zone where friction and riotous outbreaks had been endemic for six months or more was restored to tranquillity ; the Poles, who have behaved with scant respect to international obligations in other matters, seem to have become law-abiding lambs in Upper Silesia—although they have got far less than they claimed. The attitude of the Polish Government may be partly due to a desire to discredit Korfanty, who at that time was in domestic policy opposed to the Government; but that fact alone cannot account for the conciliatory way in which the Poles, both in the joint Commission and, apparently, in the territory itself, have carried out their part of the agreement. Rumours current in the early months of 1923, that further Polish outbreaks might be expected, have not yet been fulfilled.

As regards the actual vote, however much Polish propaganda may have been permitted during the Allied occupation, no German can fairly deny that the oppression of the Poles by the German Government in former times, at least to the outbreak of the war, was partly responsible for the large Polish

vote. The province had always returned some Polish nationalist members to the Reichstag before the war; no real attempt seems to have been made to win them over as loyal German citizens between 1871 and 1914.

Finally, one factor in the settlement must be emphasised because it provides a precedent for a much-needed revolution in political organisation. This is the attempt to prevent the political frontier becoming an economic frontier. Under the terms of the settlement economic co-operation is only provided for fifteen years; but if it works well, Germany and Poland will be quite free to extend it; and it will be in the interest of both to do so. By the end of the fifteen years one may reasonably hope that international feeling will have been appeased; and if not, Europe will be so nearly ruined that what happens in Upper Silesia is not likely to matter much. In this age of industry the economic factor is often decisive in international disputes. Iron, coal and oil are the things for which rival Governments strive, egged on by capitalist groups; national ambitions, strong frontiers and "glory" may be the ostensible reasons, and they count for a good deal, but it is the addition of the economic factor that makes disputes most bitter. No one heard much about the results of the East Prussian plebiscites; no Power has gone to the rescue of the Armenians; but where important natural resources or trade routes are at issue, as in Mosul, on the Rhine, and in Upper Silesia recently, and as in many parts of Asia and Africa during the past fifty years, the dispute tends to be much more serious. The Upper

Silesian decision, in so far as it preserves the economic *status quo*, whilst driving the political frontier right through an industrial area, is a first blow directed against the idea that political and economic barriers must coincide ; or one might describe it as a further nail in the coffin of the Austinian doctrine of State sovereignty. The political State is not all. Economic common-sense must count for something.<sup>1</sup>

To sum up, it may be said that the League solution, though open to severe criticism as regards the frontier in the industrial triangle, succeeded in pacifying Upper Silesia, and led to honest co-operation between two peoples who were on the verge of war ; it also provided a useful example of economic co-operation across political frontiers ; but it is a tragedy that the League was not strong enough to act with real justice, and to propose a reparations settlement at the same time.<sup>2</sup>

<sup>1</sup> To be just, one must also recognise that the Upper Silesian decision was not itself without precedent. A few months earlier Czechoslovakia and Poland, after an acrimonious dispute over the neighbouring coalfield of Teschen, had made an agreement of a similar character ; and this was already working well, a hopeful example of what might be achieved, when the League was called in to settle the Upper Silesian dispute.

<sup>2</sup> See League of Nations Official Journal, second year, Nos. 10-12, pp. 1220-1233, for the League decision ; the subsequent *Convention Germano-Polonaise* is obtainable in French for 12s. The best account of the whole matter that I have seen is in vol. i., No. 1 of the *Journal of the British Institute of International Affairs*, by H. J. Paton. See also *The Question of Upper Silesia* (L.N.U. pamphlet) and chapter vii. of H. W. V. Temperley's *The Second Year of the League*.

A year later, when the League Assembly met for its third session, the position with regard to reparations and debts was becoming increasingly grave. The British and French Governments, after pretending to agree for three years, had just "agreed to differ," and although a temporary and partial moratorium had been granted to the German Government until the end of the year, it was clear that a crisis even more acute than others would arise at the end of that time. Strong speeches were made by some of the champions of the League in the course of the Assembly's session. Finally, as an appendix to its disarmament proposals, described in the previous chapter, the following resolution was adopted :

"The Assembly,

"Considering that moral disarmament is an essential preliminary condition of material disarmament, and that this moral disarmament can only be achieved in an atmosphere of mutual confidence and security, declares :

"That such confidence cannot be attained so long as the world continues to suffer from disorganisation of the exchanges, economic chaos and unemployment, and that the only method of remedying these evils is to put an end to the uncertainty which prevails regarding the means for the restoration of the devastated regions and the settlement of the inter-Allied debts ;

"Expresses the hope that, in so far as these questions can be regulated by the unaided efforts of the European nations, the Governments signatories of the international treaties and agreements which

deal with these questions, and within the framework of which they must be envisaged, will achieve as soon as possible a general settlement of the problem of reparations and inter-Allied debts.

" It further recommends :

" That the Council shall devote constant attention to every effort made in this direction by the Governments concerned, it being understood that it can only usefully assist in the solution of these problems if requested to do so by the Governments in question."

This resolution shows that the Assembly was alive to the dangers of the situation. But the Assembly is not an executive body. The Council is the executive. And the Allied Powers, whose hegemony is mildly challenged in this resolution, still dominate the Council. The only hope of serious intervention by the Council might arise, first from the respect—not, it is to be feared, very great—for the insistent demands of the Assembly, representing as it does the opinion of the world as a whole ; this factor by itself would almost certainly be inadequate ; secondly, from the extreme dangers of the situation that has arisen ; thirdly, from a split among the Allies. What has actually happened ? The Reparations Commission, by a majority, declared Germany in voluntary default in her deliveries in telegraph-poles and coal at the end of 1922. The Allies met ; the French Government refused even to look at the British proposals ; the conference broke up ; and the French, interpreting paragraph 18 of the Reparations Commission annex of the Treaty

in a manner absolutely contrary to all accepted international law, proceeded to occupy the Ruhr coalfields with a large military force.<sup>1</sup>

The Council of the League of Nations was due to meet in Geneva at the end of January ; but it happened that, in its regular rotation, the chairmanship of this session fell to the lot of the French member, M. Viviani ; he accordingly arranged for the session to be in Paris, where the atmosphere was doubtless congenial to the French Government's point of view. M. Branting, the Premier of Sweden, endeavoured to raise the question of the Ruhr occupation and the reparation problem in general, under the Assembly resolution. But M. Viviani declared that as "the Governments in question" had not requested the Council to intervene, discussion would be out of order, and so the matter dropped. In view of the wording of the Assembly resolution, he was quite in a position to give this ruling.

Strong speeches were again made in the

<sup>1</sup> Paragraph 18 reads : "The measures which the Allied and Associated Governments shall have the right to take, in case of voluntary default by Germany, and which Germany agrees not to regard as acts of war, may include economic and financial prohibitions and reprisals and in general such other measures as the respective Governments may determine to be necessary in the circumstances." This may seem to cover almost any action taken by any Government ; but it has to be remembered that an invasion by armed forces has always been recognised as an act of war under international law. The French, of course, claimed that they were only sending engineers into the Ruhr, a purely "economic" sanction ; in point of fact, however, large numbers of troops were immediately sent.

Assembly of September, 1923 ; but no action was proposed; either for inducing Germany to come into the League, or for discussing any concrete action that might lead to a settlement. Presumably those who spoke so strongly knew that any action they might propose would be instantly smothered ; but it seems a pity they did not challenge the French representatives. Perhaps the Corfu business was thought to be enough for one Assembly.

Is the League really impotent in this matter? I do not think so.

If some State had the courage to demand a consideration by the Council of the Ruhr occupation under Article 11 of the Covenant, as a matter "which threatens to disturb international peace," the Council would be bound to discuss it, whatever the French representative might say.<sup>1</sup>

Moreover, if it were proposed to appoint a neutral commission of investigation, this could be done by a majority of the members of the Council, and when the commission so appointed formulated its recommendations these could be published to the world as an authoritative statement of the real truth. This would give an opportunity for the public opinion of the world, including the great body of peace-loving and enlightened citizens of France and Belgium, no less than those in Germany, Italy, Great Britain and America and

<sup>1</sup> Apparently the line that the French Government might take is that the League of Nations is not in a position to interfere with the Treaty of Versailles, unless the Allied and Associated Powers request it to do so. If this is true, the League had much better close down at once.

other countries, to rally in support of a sane and peaceful settlement of the issues that have brought Europe to the verge of utter ruin.

If, on the other hand, those who honestly believe in the League allow things to drift a little farther, they may be sure that the contempt of its critics and the indignation of the suffering German people will lead to its ruin. The "neutral" States may begin to resign, other Governments will not pay their dues, the Secretariat will have to close down, and the League will collapse. Europe will revert for years to a condition of war and revolution, and it will be long before a better structure can be devised to replace the present League.

Germany has little enough to thank the League for at present. Nevertheless the best thing that could happen for Germany, for Europe and for the League, would be the entry of Germany into it; not alone for the assistance this would give to the League in any attempts made to revise the Treaty of Versailles and to promote a Franco-German pacification, but also because it would show that Germany was anxious to occupy again the place in the affairs of the whole world from which she has been thrust, and which she ought to occupy, instead of nursing her own wrongs and forgetting that the world is not bounded by France and Poland.

No doubt it would be fitting, in view of the refusal of the Allied Powers to admit Germany into the League at the beginning, that they should now go down on their knees and implore Germany to come in. But picturesque revenges of that kind do not happen outside melodrama. Never-

theless it is right and suitable that the initiative should come from outside Germany. It is grossly unjust for supporters of the League to say, more in anger than in sorrow, "What a pity it is that the German Government has not applied for admission!" There are Germans who wish it had done so ; but after all that has been done or left undone by the League in the past five years it is almost inevitable that they should be in a minority. How can this minority of Germans be turned into a majority? First, by careful scrutiny on the part of the British Government and other members of the Council of the Saar administration, and a change in the membership of the Governing Commission. Secondly, by a determined effort, through the League machinery or special conference, to get the French out of the Ruhr and save Germany from her present financial ruin. Thirdly, by an explicit invitation, in which all decent-minded European Governments should join, to the German Government to apply for membership ; coupled with a promise from the Governments concerned that they will use all their influence to obtain for Germany the permanent seat on the Council which is her right.

A just settlement with Germany is the most urgent problem of the moment ; one great step to its solution will have been taken when Germany becomes a member of the Council of the League. On that day let M. Poincaré and Lord Rothermere hear and tremble ; and let the people of France and England rejoice.

## VII

### MAJORITIES AND MINORITIES

THE reparations clauses of the treaties, and the economic dislocation caused by the war and the new State boundaries, have made the economic consequences of the peace loom largest in the past few years. But another cause of acute difficulty, which would still remain even if the economic difficulties could be overcome, is the clash of nationalisms. In the solution of these problems the League of Nations, under the terms of the post-war treaties, is destined to play a very important rôle.

Nationalism, so far as most of Europe is concerned, is a pre-eminently nineteenth-century movement. By the beginning of the twentieth century, amongst the more civilised peoples, it was on the wane. Italians, Germans and Hungarians had achieved their aim. Those who had not yet achieved were becoming more moderate in their demands.

The great bulk of the Irish people were prepared to accept the modest Home Rule Act of 1914; the majority of Alsatians, and of Frenchmen too, were prepared to accept autonomy within the German Empire for Alsace and Lorraine. The Poles of Austrian Galicia, having obtained

autonomy and considerable influence in the Austrian Government, were not very enthusiastic for a new, united Poland ; and after the Austrian electoral law of 1906, which provided for racial constituencies, and for a majority of non-Germans in the Austrian Lower House, the Czechs and other non-German Austrians became more reconciled to the prospect of a gradually increasing self-control within the Austrian Empire. The Croats were mostly satisfied with the autonomy they had wrested from Hungary ; and some of the pre-war agitations in the Southern Slav territories of Austria and Hungary were instigated by Serbs of old Serbia, rather than those who were actually suffering from oppression.

It is true that some of the subject peoples, such as the Poles under German and Russian government, and the Slovaks and Rumanians of Hungary, were still ruthlessly oppressed and had not been able even to reach the first stage of full national self-consciousness ; it is also true that the Austrian Government had not conformed its administrative to its electoral policy. But the policy of the more enlightened Governments and the demands of the more enlightened minorities were gradually—even rapidly—converging, so that the time seemed to be drawing near when Czech and Pole and Slovene and Austrian would live together in true contentment,<sup>1</sup> and when English,

<sup>1</sup> There is some reason for believing that the murder of the Austrian heir-presumptive, which precipitated the World War, was the work of a lawless band who could not be checked by the Serb Government, and that its purpose was to prevent the realisation of the devolution policy, which the Archduke was known to favour.

Welsh and Scot would share their common freedom with the Irish.

The majorities were beginning to recognise the advantage to the whole community that comes from contentment of minorities ; the minorities were becoming conscious of the many common interests that bound them to their oppressors—not by the chains of tyranny, but by the unalterable facts of human intercourse. Understanding was slowly overcoming fear.

Then the war came. The Irish, partly through the intransigence of the Protestants of Ulster, partly as a result of German propaganda, but mainly through the blunders of the British Government and War Office, demanded, with ever-growing unity, complete separation from England, and this although many Irish nationalists volunteered and fought heroically in the British army. The same spectacle was seen in Central and Southern Europe : Czechs, Poles, Croats, Bosnians fighting heroically in the Austrian army, whilst nationalist propaganda, largely from France and other hostile countries, gradually undermined the unity of wartime until the Austro-Hungarian Empire flew asunder.

Presumably the statesmen in Paris who made the treaties knew that it was impossible to divide Europe into "national States." They evidently realised that the new frontiers they were creating would lead to new "minority problems" ; for they made all the "succession States" sign treaties for the protection of minorities. In several important places, however, the new boundaries cannot possibly be justified by the national theory.

on which they are avowedly founded. Czechoslovakia has no right to the German districts of Northern Bohemia or to the Danube shore below Pressburg ; Italy has no right to the German part of Southern Tyrol or to the hinterland of Trieste ; the Rumanian boundary towards Hungary is more than "generous" ; Poland has no right to Eastern Galicia. But objection to the new boundaries does not arise from nationalism alone, nor only because Europe has been split up into a greater number of States at a time when federalism, not disunion, is the need of the world. Perhaps the most serious consequence of the new frontiers is that more cultured people are put under the government of less cultured. Probably the worst cases are those of the Croat and Slovene minorities in Serbia and that of the large Magyar population of Transylvania, now put under Rumanian rule. Even if it be admitted that the Magyars are themselves responsible for the low level of Rumanian culture in the provinces lost by Hungary, yet this does not apply to the rest of Rumania, and in any case an old wrong does not justify retaliation in kind. The old rulers have been delivered over to the vengeance of the ruled ; and to the League of Nations is assigned the task of saving them from that vengeance, and of preventing, if possible, the lowering of cultural standards. In the state of mind to which all European peoples have been reduced by the war this would be no light task for a body of the highest moral authority to undertake.

The right of international protection for minorities within a State is not a new doctrine ;

it is at least as old as 1878. In that year Rumania, Serbia and Montenegro agreed to give protection to Jewish, Muhammadan and other minorities, as a condition of their recognition by the European Powers as sovereign States. A promise was also given by Austria-Hungary to protect minorities in Bosnia and Herzegovina, at the time when those countries came under her control; and a similar promise was extracted from the Sultan to protect the Christian minorities left in Turkey. These promises were mostly broken—some of them flagrantly—largely, no doubt, because there was no international authority to see that they were carried out. But they are none the less important as precedents in international law. They provide convincing evidence that the sovereignty residing in a modern State is not regarded by international law as absolute. It is subject to certain conditions, of which proper treatment of racial, religious and linguistic minorities is one. Until 1919 international law had failed, however, to provide any machinery for guaranteeing the fulfilment of this obligation. This has now been supplied by the League of Nations.

Guarantees for the protection of minorities were demanded by the Allied Governments from Poland, Czechoslovakia, Jugo-Slavia, Rumania, Austria, Hungary and Bulgaria at the end of the war. And similar guarantees were included in the Treaty of Sèvres, which would have been binding on Greece and Turkey, had it been ratified. It is to be noted that one of the defeated States, Germany, had no such guarantee demanded of her, though it would have been quite as reasonable

to ask it of Germany as of the reduced Austria and Hungary in the treaties of St. Germain and Trianon. Nor, on the other hand, did France or Italy, the latter of which, especially, annexed large minorities, give any such formal guarantee. Germany has since provided a guarantee in the case of the Upper Silesian territory assigned to her ; and the League of Nations has insisted on minority guarantees as a condition of the admission to membership in the League of Albania and the Baltic States. It is likely to make the same condition for the admission of some other applicants. Poland, Jugo-Slavia, and perhaps other States, were reluctant to enter into such obligations, apparently on the ground that it was derogatory to their " sovereignty " to do so ; one or two of the Baltic States complained that they were expected to give guarantees which the Allied Powers and other States were not asked to give. To which it was replied, in the League Assembly, that those States were morally bound to uphold at least as high a standard in the treatment of their minorities. Also, it may be said that there is more danger for minorities in a newly constituted State than in one which has endured so long that its minorities have been either exterminated, driven out, absorbed or conciliated. Nevertheless the demand that all States shall guarantee the protection of minorities is really unanswerable ; and the League should gradually be able to evolve a universal treaty for this purpose.

Meanwhile, what do these new guarantees amount to? What do they guarantee, and how far are they effective?

The Treaty with Poland, which is regarded as the "model" of the Minorities Treaties—what a naturalist would call the type of the species—includes the following stipulations :

First, "Poland undertakes to assure full and complete protection of life and liberty to all inhabitants of Poland without distinction of birth, nationality, language, race or religion. All inhabitants of Poland shall be entitled to the free exercise, whether public or private, of any creed, religion or belief, whose practices are not inconsistent with public order or public morals." These "elementary rights," M. Clemenceau pointed out in the commentary addressed to M. Paderewski, head of the Polish delegation, "are, as a matter of fact, secured in every civilised State."<sup>1</sup> The following clauses "are designed to ensure that all the genuine residents in the territories now transferred to Polish sovereignty shall, in fact, be assured of the full privileges of citizenship." The next two articles "provide against any discrimination against those Polish citizens who by their religion, their language, or their race, differ from the large mass of the Polish population."

Article 9 of the Treaty provides that in parts of the country where there are considerable non-Polish elements there must be elementary schools, supported by public funds, where instruction will be given to the children in their native tongue. This does not prevent Polish being taught as a compulsory school subject. Articles 10 and 11 provide for proper educational facilities for Jews, and that they shall suffer no disability ~~by~~ reason

<sup>1</sup> According to this definition, Spain is not yet civilised.

of refusal to perform legal business on their Sabbath : elections are not to be held on a Saturday. Article 12 provides for international supervision of the fulfilment of these articles. "Poland agrees that the stipulations . . . constitute obligations of international concern and shall be placed under the guarantee of the League of Nations. They shall not be modified without the assent of a majority of the Council of the League of Nations." "Poland agrees that any member of the Council of the League of Nations shall have the right to bring to the attention of the Council any infraction, or any danger of infraction, of any of these obligations, and that the Council may thereupon take such action and give such direction as it may deem proper and effective in the circumstances." Disputes as to law or fact may be referred to the Permanent Court of International Justice, on the demand of any member of the Council.

In fact, the Council of the League is given wide powers—powers which should be adequate, if any can be, for rescuing minorities from oppression. Most of the other Treaties are similar, with special articles akin to Articles 9 to 11 of the Polish Treaty, applicable to the conditions of the State concerned. The Albanian Treaty is particularly thorough. Albania agrees to guarantee an electoral system that shall give due consideration to racial, religious and linguistic minorities ; it undertakes to supply information as to the legal status of religious communities, churches and convents, schools and other voluntary establishments and associations of racial, religious and

linguistic minorities ; and it is prepared to give facilities to any commission of inquiry that the Council of the League may at any time consider it desirable to appoint. If the performance equals the promise, Albania will achieve the enviable distinction of supplying an example of sane and just treatment of minorities.

Not only any State represented on the League Council, but the minorities themselves, may petition the Council of the League to intervene on their behalf. Such a petition is first examined by the Minorities section of the Secretariat, to make sure that it conforms to certain reasonable principles ; it must relate to facts not already recently dealt with. The petition is then submitted to the State concerned, which is expected to comment on it within two months. At the same time it is communicated to all members of the Council, and examined by a committee of three members, which submits a report for the Council's consideration. Other members of the League may also ask to have petitions communicated to them.

Europe has been full of complaints about the ill-treatment of minorities by the new States since 1919, but very few have been formally lodged with the League of Nations.

The most important case has been a complaint submitted by German farmers in the Polish territory of Bromberg. In November, 1921, thousands of these people were ordered by the Polish Government to leave their farms within a month, on the ground that they were recent colonists, and had no legal status. In view of the urgency of the matter, their petition was

immediately circulated to the members of the League, and the Polish Government, at the request of the President of the League Council, agreed to postpone the evictions for six months, whilst an inquiry took place. A further postponement was later agreed to. A committee of jurists, set up by the League for the purpose, decided that all those who had been settled, and had obtained contracts from the German Government, before the armistice, had the right to remain, but that later settlers might be evicted. The matter has not rested there. Further consideration was given by the Council of the League to the position of German minorities in Poland in February, 1923; and M. Branting succeeded in getting the question of legality of certain Polish actions referred to the Court of International Justice for an advisory opinion. The opinion of the Court, as already explained in Chapter IV, went against the Polish contention; it decided that the situation was one in which the League was competent to intervene. The Council is accordingly negotiating with the Polish Government for a just settlement.

On the whole, therefore, in this case, the Council of the League seems to be exercising its authority properly.

A petition of Russians in Bessarabia against the action of the Rumanian Government, and a petition from Jewish organisations in Hungary against the anti-Jewish barriers raised against the Jews in the Hungarian universities, have been under the consideration of the Council; also petitions concerning the Ruthenian population of Czechoslovakia and the position of other minorities in

Rumania ; but the present writer has not been able to discover whether the Council has reached any conclusions. The Austrians in the part of south Tyrol annexed by Italy are also said to have sent petitions to the League. Possibly in these and other cases private negotiations with the respective Governments have been initiated. This seems to be regarded as the most effective way of dealing with Governments in such matters, and it may well be so. But the League must not permit anything to happen which would justify the fear that secret negotiations of this kind are equivalent to smothering the complaints of the minorities.

The protest made by the Lithuanian representative before the League Assembly in 1922, accusing the Poles of brutal treatment of Jews and Lithuanians in the disputed Vilna territory, does seem to have been smothered, or at least swallowed up, in the more fundamental dispute regarding Vilna itself.

Two petitions made to the League—a Jewish petition for the right of option from the Central European "succession States," and a petition from the Czecho-Slovak National Council of Vienna demanding better educational facilities for Czechs and Slovaks in Vienna—have been dismissed by the Council on the ground that no real case for action had been proved.

It appears that neither the Magyars of Transylvania, who make many complaints against Rumania, nor the Germans of Czecho-Slovakia, who complain that quantities of their schools are being closed, so that their children cannot receive the German education guaranteed to them, nor the discontented minorities of Jugo-Slavia, nor other

complaining minorities, have yet made any general appeal to the League. The Ruthenians of East Galicia have appealed against Polish oppression, but the League has handed the protest on to the Council of Allied Ambassadors, who, as already described in Chapter IV, have nevertheless assigned East Galicia to Poland under conditions. It is to be feared that other minorities, noting the ineffectiveness of the League in East Galicia, in Vilna and elsewhere, do not consider it worth while to complain, or perhaps they fear the consequences. They wait, rather, for the day of vengeance ; and meanwhile they trust to their own strength. Thus conditions in many parts of Europe tend to get more and more embittered.

The task committed to the League has proved too great for it hitherto ; in places the Minorities Treaties are little more than a dead letter. This state of affairs is easy to understand. On the one side are peoples such as the Poles and Czechs and Serbs, intoxicated with their newly gained liberty and power, impatient of any restraint ; on the other, people who have lived in full liberty, or even as the predominant race, now reduced to a condition of inferiority or oppression. And the outside world, instead of trying to heal the breach, only makes it wider. On the one hand are writers, such as the American, Charles Russell, or the Englishman, J. H. Harley, who find the Poles so godlike that they can see nothing but evil in their enemies. Does it not occur to them that their non-Polish readers are more likely to be impressed with a statement of Polish characteristics that allows some defects to the Pole and some virtues

to the German or Lithuanian? Childish enthusiasms of this kind, though revealing the innocence of the author, do not help the cause of international understanding. Almost the same must be said of Dr. Seton-Watson's eulogies of the Serbs. On the other side are such writers as Signor Nitti, who, horrified at the iniquities of the Peace Treaties and their execution, seem to see the perfect martyr in every German and the perfect monster in every Frenchman, Pole and Czech; or Lord Newton, who finds the oppression of cultured Magyars so shocking that he seems to ignore the reasonable claims of Rumanians or Czechs. This may be almost inevitable; at any rate, it is not easy to resist the charm of a hospitable foreign country, and the traveller quickly shares the loves and hates of his kind hosts.

But an indiscriminate acceptance of the point of view of the nation one happens to know best is not the path of conciliation. Professor Gilbert Murray, in the League of Nations Assembly in 1922, struck the chord of harmony when he declared that, noble as was the mission of those who stood for the rights of the oppressed, a yet loftier mission was committed to the League of Nations. It must endeavour to understand the difficulties on both sides; the difficulty a new State must have in restraining its more impetuous patriots, and in conciliating a hostile minority suddenly brought under its authority; and the difficulty felt by the minority in recognising that authority, and in swallowing its pride so that its members shall become law-abiding citizens of a nation whose majority is alien.

And there is more in it even than this. Race prejudice is not merely a dislike of people who speak a different language, or profess a different faith. It is sometimes due to a very deep clash of ideals, such as we happy English can hardly understand. The present writer was taken to task by a nationalist Magyar, who discovered that he was not anti-Semitic, in some such words as these : " You English are too detached ; you do not understand the real state of affairs. As a nation, you have a business instinct which can withstand the cleverness of the Jews ; but we Hungarians, and other Central and Eastern Europeans, are children in such matters. They exploit us all the time, so that life becomes intolerable." Something of this kind is no doubt at the back of most of the anti-Semitic agitations in many European countries. But even this does not get at the root of the difficulty. The Jews, as a people, are felt to have had a disastrous influence on modern European life, by encouraging a materialistic outlook, amongst people whose natural instinct puts spiritual values first. Expressed in this extreme form, such a view is no doubt unfair to the Jews, and it is certainly untrue that most Europeans are by nature exceptionally spiritual. Nevertheless there is enough truth in the contrast to keep alive a very strong anti-Semitic feeling even amongst imaginative and sympathetic people. The Englishman who thinks that Jew-baiting is merely a symptom of gross intolerance, such as an Englishman with a public-school education could never descend to, is merely exhibiting that superficiality which is both the strength and weakness

of England in her international outlook. Jew-baiting is an abomination and a disgrace to any professedly Christian people ; but it will not disappear till the motives that give rise to it are understood by those who condemn it. The question of Jewish minorities is one of quite peculiar difficulty, which should probably be treated differently from other minority questions.

The truth must be faced : sooner or later, unless minorities are to be extirpated or uprooted wholesale, the majority must learn to regard them as citizens of equal status, and the minority, in turn, must accept the *status quo* and act as law-abiding citizens of the State under whose authority fate has placed them. That does not mean that the present frontiers must necessarily be final ; rectifications should probably be made. But the League of Nations and all enlightened European statesmen and citizens should be working for the time when the boundaries of States will be no more important than are the boundaries of cities to-day. A man does not rise up in arms because the Parliament of his country sees fit to include his house within the borders of a neighbouring city ; nor does the authority of the city consider it necessary to terrorise him or to treat him as an inferior being because he is not a townsman. When a sane view of international and national politics is accepted, the demarcation of State frontiers will be decided according to general convenience—which includes, of course, a proper respect for local sentiment—not according to race prejudice and the lust for political and economic power.'

This is the ideal to be aimed at, and, if they

would but realise it, such a policy is to the advantage of the States that apply it. A few States have learnt it already : there is evidence that the Danes are in the main treating the German minority of Slesvig in such a way as to make them loyal and contented citizens of their new country. Jews are not persecuted—at any rate not with the approval or connivance of Governments—in some West European countries. But enlightened treatment of minorities is still rare, and exceptional. Even the Germans have not learnt to turn their small remaining minorities into contented citizens, and as one crosses Europe southward and eastward the treatment of minorities becomes ever more flagrantly brutal—the Austrian Government being, in this respect, apparently the one bright exception ; until somewhere near the region where Europe is becoming Asia, in the midst of Russia, the epidemic of nationalism dies away, and the peoples live in tolerance together almost to the shores of the Pacific.

But in this great area of Central and South-East Europe what can the League of Nations do to mitigate the fury of national antipathy? Can it do more than it does already? Or must it wait until the minds of statesmen are penetrated by a perception of the wisdom and righteousness of political toleration? It must be admitted that until such a conversion takes place the minorities will always be in danger; but that does not mean that the League of Nations can do nothing. The first proposal made in the League Assembly was the appointment of a Permanent Minorities Commission, similar to the Permanent Mandates

Commission, which would meet regularly and consider the position in every country that has a minorities treaty to fulfil. This would mean that the whole situation would be reviewed once a year. This suggests greater efficiency than the present method, under which nothing happens at all unless some minority is bold enough to lodge a complaint, or unless some member of the League Council takes on itself the invidious task of championing a minority—thereby in effect courting the enmity of the Government whose maltreatment of the minority is asserted. But there would be dangers in the appointment of a permanent commission, if, like the Mandates Commission, it only met once a year. The first danger would be that matters requiring immediate action—such as the threatened ejection of Germans from Poland in 1921—might be postponed for consideration by the commission, which might not meet again until nine or ten months after, when the deed was done. Also the commission would have far less moral authority than the Council of the League; and at the moment every ounce of moral authority is required for protecting minorities in Europe.

Another proposal, made by Professor Gilbert Murray at the 1922 Assembly, seems more likely to be effective in present circumstances. His proposal was that the League should be able to appoint a special commissioner, either temporarily or permanently, to reside in a region of mixed population—e.g. Macedonia, Thrace, Upper Silesia, East Galicia, Fiume, Lorraine, Belfast—to represent the League, and to watch over the interests of the minorities. The presence of such a commissioner

might have a very salutary effect on both (or all) sections of the population, for he would be expected to report disloyal propaganda on the part of the minority as well as oppression by the majority. If, then, the Council of the League were prepared, either at its ordinary sessions, or through some special committee, meeting as often as was required, to receive reports from its commissioner, together with comments from the Government concerned, the Minorities Treaties ought to be a good deal more effective.

The position of such a man would be extremely delicate and difficult, but not, perhaps, more difficult than that of the present High Commissioner at Danzig.

Unhappily, the countries where his presence is most needed refused to consider the proposal at the time of the 1922 Assembly. But it may be hoped that a similar proposal will be brought forward again, and that the public opinion of the world will become so strong that no State will be prepared to resist it. The presence of such a representative of the League will bring no discredit on any State; indeed, one may look forward to the time when every State, Britain no less than others, will welcome a permanent delegation of League representatives, who will co-operate with the home Government to further the interests of humanity, not only as concerns racial and other minorities, but also as to conditions of labour, public health, and in all other spheres where the experience of one people may be valuable to another, and where the awakening conscience of humanity rightly demands a hearing.

Useful as such appointments would be, however, the first thing to recognise about the actual situation is that the Council of the League at present lacks the moral authority that would give it the confidence of majority and minority alike. The minority must be persuaded that it need fear nothing in placing before the League the facts regarding grievances; and this confidence can only come from experience. The majority, too, must be persuaded that the League will not take action without first investigating the truth of allegations. This, too, can only come from experience. But in addition, it is necessary for everyone to feel confident of the impartiality of the League in dealing with complaints, whether they come from German or Pole, Bulgarian or Serb, Turk or Greek, Jew or Magyar; and until the membership of the Council of the League is changed it is difficult to feel such confidence. The interest of the victors is too strong, and of the vanquished too weak.

How far the States principally concerned are from accepting any real obligation for the protection of their minorities is indicated by a memorandum submitted by the Polish Government to the Council of the League in January, 1923. Starting with the statement that the Minorities Treaty, by which Poland is bound, is "an exceptional law" with "serious legal omissions," which "can only be applied in a restricted and not an extended sense"—obscure phrases whose tendency, however, is clear enough—this memorandum concludes by proposing that no consideration shall ever be given by the Council of the League to

any minority complaint, "except on the deliberate and spontaneous motion of a State-member of the Council of the League of Nations," and that investigations by the present committee of three members of the Council into such complaints "should be regarded purely as internal routine work." In other words, restrict the possibility of complaints as far as possible, and in any case make sure that the facts shall not be published.

It says something for the Council of the League that, as already noted, instead of approving any such proposals, it decided to ask the Court of International Justice for its opinion about the complaint brought against Poland by a section of the German minority. The League Council is not so utterly anti-German as is sometimes supposed.

The Polish Government seems to contend that its obligations under the Minorities Treaty are only of a temporary nature, to be dispensed with as soon as Poland has a firmly settled Government. And that, it contends, is now achieved. But there is nothing in the Minorities Treaties to warrant such a contention. These international obligations must remain as long as they are required for the safety of the minorities, or as long as the minorities continue as separate elements in the populations. At the present rate of "progress" there seems no reason to hope that they can ever be dispensed with.

## VIII

### THE INTERNATIONAL SPIRIT

WHEN Señor Edwards of Chili was elected President of the third Assembly of the League, he remarked, in his presidential speech, that "The League of Nations must advance cautiously." A day or two later Lord Robert Cecil insisted that the League must advance boldly. Another orator, a little later, wittily commented on these two sayings, and wondered "whether some very clever man, such as Lord Balfour, can explain how we are to advance with bold caution or with cautious boldness." After the tiresome unreality of the formal proceedings of the first days, and the diplomatic correctness of the early speeches, it was refreshing and delightful to hear any man "pulling the leg" of the President, of the apostle of the League, and of the most respected of its members; all in a single breath. Add the fact that the whole Assembly applauded his pleasantry, and one began to feel that the League Assembly was, after all, composed of human beings who could sometimes say what they really thought, and enjoy a joke at their own expense without treating it as a diplomatic affront. Add, again, that the orator was a young negro—the one negro in the Assembly—representing the black republic

of Haiti, which has suffered from American imperialism in the last few years almost what Ireland, Armenia and Korea have suffered, and one began to hope that such a speech might be a portent of great things. The speech was not only witty ; its main purpose was deadly serious. M. Bellegarde, representative of Haiti in Paris and at Geneva, went on to speak of the recent treatment of the Bondelzwart Hottentots in the territory formerly known as German South-West Africa. This territory is now administered as a " sacred trust of civilisation," in the interests of the natives, by the Union of South Africa. The Bondels, apparently a wild people who live by hunting, and whose hunting dogs harass their neighbours' livestock, were taxed—or their dogs were taxed—by the South African Government ; " taxation," observed M. Bellegarde, " is the form in which most ' savages ' first learn the advantages of civilisation." The taxes were not paid : the Bondels declared they were too poor to pay. This was regarded as an act of rebellion, and troops were sent to " crush the rising." The leader of the punitive expedition seems to have been better fitted for the inside of an asylum than for this appointment. Assisted by bombing aeroplanes and machine guns and the other implements of modern " civilised warfare," he proceeded to what was in effect a massacre of the tribe ; and those who remained, most of them women and children, were driven from their homes and left desolate.

All this took place on territory held under mandate from the League of Nations by the Government at whose head was General Smuts,

the statesman to whom the system of mandates owed its origin. Thus does fate mock man's high endeavours. No wonder the cynics jeer at imperialism's latest camouflage. But let the cynics at least take note that public opinion in South Africa was deeply stirred; that a public inquiry was at once appointed; and that M. Bellegarde, in a speech which was a rare combination of fearless candour and sweet reasonableness, persuaded the League of Nations to insist that all possible restitution should be made without delay. It is a pity that the League of Nations was not asked to appoint its own representative to the commission of inquiry; M. Bellegarde himself would have been an excellent choice. Still, the fact that he could make such a speech, and that it was accepted in such a spirit, indicates the openness and fairness that tend to prevail in the League Assembly. It had a powerful effect on American journalists, who were present in some numbers.

When the Permanent Mandates Commission met in July, 1923, it considered the report of the commission of inquiry, and criticised the South African Government very sharply. It declared that the territory was being administered in the interests of the white settlers, rather than the natives, and demanded a change of policy. The South African Government, or at any rate its High Commissioner in London, was very angry, and began to accuse the Mandates Commission of ignorance of African administration—a grotesquely untrue charge. The League Council and Assembly upheld the Mandates Commission, and thanked it for its energy. In passing, it may be mentioned that the Mandates Commission has also succeeded

in rectifying a grave wrong done to the people of Ruanda, in Central Africa, by the British and Belgian Governments. The native kingdom of Ruanda, formerly part of German East Africa, was divided, so that part should be under British and part under Belgian mandate. This was in order to facilitate the "all-red" British railway from the Cape to Cairo. The territory thus put under British administration has now been handed over to Belgium.

M. Bellegarde's speech in the Assembly is not an isolated incident.

During the prolonged and anxious discussions on disarmament that took place in the Third Committee of the Assembly, there was at one time such an acute difference of opinion between the British and French representatives (Mr. Fisher and M. de Jouvenel) that it seemed almost impossible to restore harmony or find agreement. Lord Robert Cecil intervened when the atmosphere was becoming rather electric: "As usual," he began, "I find myself agreeing with everybody." The tension instantly relaxed, tempers were cooled, and everyone began to feel that agreement must be reached and would be reached. And it was. Patience, restraint, goodwill, candour, courage—these qualities are often found at Geneva, and found in combination. The discussions on disarmament, absolutely open to anyone who cared to listen, attended, as a rule, by a score of journalists and twenty or thirty other spectators, were dismissed by a supercilious world as the innocent prattlings of a company of idealists and third-class diplomats, who were living in the clouds whilst the earth was trembling with the shocks

of clashing ambition and oppression in Western Europe and in Asia Minor. And yet, dark as the sky seemed, a hope came into the hearts of those who listened to the discussions of those idealists that they were witnessing the dawn of a day when white men will cease to lynch black men on the shores of the Mississippi; and when Frank and Teuton, Christian and Mussulman, will agree to sink their ancient feuds for ever in the waters of the Rhine and the Bosphorus.

Another incident in these disarmament discussions illustrates the excellent effect of the publicity in which most of the proceedings of the League are carried on. The committee was asked to approve a resolution providing for the calling of a naval conference at which the principles incorporated in the Washington agreement for naval disarmament—an agreement that only affects the United States, Great Britain, Japan, France and Italy—might be applied to all other naval States. The representative of Brazil thereupon declared that his Government was not willing to participate in such a conference, as it did not approve the principles of the Washington Convention. Immediately everyone in Geneva, including the journalists of many nations, began to discuss the meaning of this Brazilian opposition. Rumours flew about that Brazil had been buying battleships, and that it intended to establish a naval supremacy in the South Atlantic. Lord Robert Cecil and other members of the Committee pleaded gently and sorrowfully with the representative of Brazil. This unfortunate gentleman found his position very embarrassing. He could not, he said, ignore the

instructions of his Government, but he would wire to Brazil and see if he could persuade the Government to change its mind. His message seems to have had the desired effect. Two days later he declared his Government's willingness to attend the conference—a small victory, it may be said, for the Brazilian Government is still perfectly free to refuse to ratify any convention that may come before the conference. But if the conference is held in public, and if the other States accept some convention, Brazil is hardly likely to outlaw herself in the eyes of the world.

The plans for restoring Austria were discussed during the same month by a sub-committee of the League Council, meeting in private; when, owing to the obstinate demand of the Italians for a special position in the board of control, a grave danger arose that the whole scheme would be shipwrecked, Lord Balfour declared that if necessary a public session would be held to explain why it had miscarried. The Italians gave way. The mere threat of publicity was enough.

More and more the searchlight of publicity is thrown upon the activities of the League. Much of the work, including the real business discussions—not merely the "agreed" speeches of solemn edification—take place in the full light of day, especially at the Assembly. Thus anyone who cares to do so may listen to a representative of New Zealand attacking his own British Government for allowing excessive amounts of opium to be imported into Hong-Kong, and smuggled thence on to the Chinese mainland: New Zealand supporting China against the British and Indian

Governments—the British Empire divided against itself, and standing all the more firmly as a consequence. You may listen to Dr. Nansen telling the League Assembly that if the Council had done its duty a million innocent Russians might have been saved from starvation; and quoting remarks made by a certain member of the Council—the French representative, as it happened—when he had objected to the Armaments Commission drafting a skeleton treaty for the reduction of armaments, as instructed by a resolution of the previous Assembly : “ Is this,” asked Dr. Nansen, “ the way in which the Council executes the will of the Assembly ? ” You may hear the representative of China telling his European colleagues that if the majorities and minorities in Europe would show a little more meekness and a little less self-assertion the minorities question would solve itself in Europe as it has solved itself in China. The Assembly seemed to regard this exhortation as hardly fit to be taken seriously—as one of those pious aspirations which practical, hard-headed diplomats know to be inapplicable to international relations. Although the Chinese gentleman had quoted Confucius, not Christ, one was irresistibly reminded of the words “ Blessed are the meek, for they shall inherit the earth.” But then, who expects the Christian Powers to take that maxim seriously?

A wise saying of M. Lange’s, “ Disarmament is itself the best form of security,” fell likewise on “ ears that were dull of hearing.” Even the comparatively enlightened League Assembly is not ready to accept these fundamental truths yet.

But it is moving, step by step. It is experimenting. It is committed to the principle of interference in the affairs of sovereign States for the protection of minorities; and this is, in fact, a full denial of the hoary maxim of State sovereignty. Intervention is increased by the growing sensitiveness of the human conscience. Wherever man is suffering from natural disasters or from oppression by his fellows, there humanity must intervene, even in defiance, if necessary, of the authority responsible for the oppression.

Again, the League of Nations is experimenting with the new doctrine that the less civilised communities of the world must be treated as wards, as children, by the more adult. The mandatory system denies the right of the mandatory power to make any profit for itself out of the territory it controls; if there is a profit on the administration, it must be used for the good of the mandated territory. Lord Balfour, to judge from a speech he made in the first days of the League, seems to have doubted whether any State would be willing to accept a mandate on these conditions. But several have done so, and apparently none of them has gained any material advantage from the acceptance of this "trust." This is not altogether new, for in pre-war days it was common enough for a European State to spend more on colonial administration than it gained. But there were traders and merchants who made large profits. Can the League prevent this economic exploitation of the natives? Article 22 of the League Covenant provides that there must be "equal opportunities for the trade and commerce of other

members of the League," at least so far as the Central African territories are concerned. The Mandates Commission asks for information as to the provisions made "to secure economic equality as regards concessions, land tenure, mining rights (in particular prospecting), fiscal regime (direct and indirect taxation), and customs regulations (imports, exports, transit)." This ought to prevent conflict between rival European concessionaires. And the stipulations regarding land tenure, labour conditions, liquor and arms traffic, and education, should be sufficient to protect the natives from the evil exploitation from which they have suffered so terribly in the past. The questions asked on all these subjects seem to be searching and thorough. If the Mandates Commission insists on its questions being thoroughly answered, and if it has the courage to criticise and expose anything it finds unsatisfactory—and it has already shown these qualities to a certain extent—the system of mandates may be the first step towards decent treatment of "savages" by "civilised" people. For if it is successful in raising the standard of life in some parts of Africa and the Pacific, other parts of Africa, other Pacific Islands, and perhaps parts of Asia and South America too, will have to conform to the same standard. It is a great experiment. Much depends on its success or failure. So far it has some success and some failure to its account. But it is too soon to judge the experiment as a whole.<sup>1</sup>

<sup>1</sup> The minutes of the three sessions of the Mandates Commission, published by the League, are worth reading. On the whole they are encouraging.

The League of Nations is also committed to an important experiment in the administration of Danzig. If it proves a success—and it seems likely to—it may be a useful precedent for the "neutralisation" of various economically important and nationally mixed territories—such as Fiume, Constantinople, Pressburg, Gibraltar, Tangier. These places or others may find their happiest destiny as "free cities," with constitutions sanctioned by the League of Nations, and administered by a "neutral" governor, under the final control of the League.

In its settlement of Upper Silesia, again, the League has committed itself to the revolutionary and admirable doctrine that a State boundary need not be an economic frontier. Full free trade throughout the earth may be still remote; but the situation on the Rhine might be greatly eased if the League could propose a method of economic unification of Lorraine, the Saar, the Rhineland and the Ruhr, whilst leaving Germany and France in full political control of the territories inhabited by Germans and French respectively. Here, as a few years ago in Upper Silesia, such a proposal may seem Utopian; it would certainly be impossible without first getting the French and the Germans to agree to an elaborate economic treaty that would not be detrimental to either interest. But Poles and Germans, after fighting one another to the death in Upper Silesia one year, agreed to such a scheme, and are co-operating in its execution a couple of years later.

If the present indescribable conditions of Central Europe—of Germany in particular—spread to

France and England, in a few months even these peoples and their Governments may be forced to the conclusion that the only salvation for Europe, economically, is the formation of a customs and monetary union for the whole continent. Desperate conditions can only be met by heroic remedies.

Again, in coming to the rescue of Austria the League has committed itself to the principle that the extremity of one nation is the opportunity of the rest; that all nations must rescue one of their number, when called upon by the proper authority to do so.

Finally, the League of Nations has set up a body of permanent officials capable of investigating disputed facts impartially, without political or national prejudice, and a judicial tribunal capable of adjudicating upon the facts. It is hardly necessary to point out that some of the bitterest disputes between States have arisen from differences of opinion regarding ascertainable facts. Before 1914 special boards of arbitrators might be formed for determining special facts; now permanent bodies of competent men and women exist, trained to investigate all the facts, and to propose methods of dealing with them.

A great international lawyer, writing before the war, propounded as one of the morals to be drawn from the history of the Law of Nations, "that the progress of International Law depends to a great extent upon whether the legal school of International Jurists prevails over the diplomatic school."<sup>1</sup> So many of the difficulties created or

<sup>1</sup> L. Oppenheim, *International Law*, second edition; 1912, vol. i. p. 82.

brought to light by the Great War are non-justiciable, being concerned with rival ambitions and inflamed passions, that at present the rôle of conciliation is more important than that of justice. But this is an unhealthy and abnormal condition. Every question that can be settled by the Court of International Justice should be referred to it, leaving as few disputes as possible to be dealt with by the League Council. Probably the League would do well if it appointed a special commission to codify international law. The technical commissions already in existence are rapidly adding to the body of international law. Nor is it only the codification of existing law that is wanted, but rather an increasing insistence on the reality of international justice. American peace workers have invented a good slogan in the cry, "Law, not war." The motto for the League of Nations should be "Justice, not compromise." It is good to avoid war; it is better to assert justice. Too many League settlements have not been just, but only temporarily expedient. This is a serious criticism, not of the League machinery, but of the Governments composing the League, who prefer settlements by arbitration or conciliation—settlements which will take account of their point of view, whether just or not—to settlements reached by disinterested minds, according to recognised legal principles.

The failure to assert justice is not the only grave failure of the League. Its members have tragically failed to permit discussion of the most urgent and vital international problems. What hope is there that, within measurable time, the States will try

to face and solve together such vast and complex issues as the race problem, the class conflict, the population problem, the problem of equitable distribution of the world's economic resources? The answer is that there is no hope, until men and women are prepared to recognise that these problems must be faced without prejudice by all the world together. International practice cannot go far in advance of international theory. What efforts are being made to induce men and women to recognise the fallacies underlying much of the current political philosophy, and to perceive the truths on which international peace must be founded? International justice can only be secured by ruthless investigation of facts; international concord by a fearless search for truth.

The Second Assembly (1921) directed the Council of the League to appoint a committee to study the possibilities of international intellectual co-operation. A remarkably distinguished committee accepted appointment, the names including MM. Bergson, Einstein,<sup>1</sup> Bannerjee, Gilbert Murray and Mme. Curie. In September, 1922, at the Third Assembly, M. Bergson reported on their first deliberations and actions. He drew attention to the deplorable condition of the intellectual workers—professors and students alike—in most of the countries of Central and Eastern Europe. In some centres of learning research is practically at a standstill, owing to the impossibility or very great difficulty of obtaining books, periodicals and

\* Early in 1923 Professor Einstein unfortunately thought it necessary to resign, as a protest against League inaction in face of the Ruhr crisis.

scientific apparatus. So that the intellectual committee has given its first attention to the immediate salvaging of the culture of Austria—especially of Vienna University—and of some other centres of learning whose plight is hardly less desperate. Unhappily it does not seem to get much beyond resolutions and investigations. It seems that even in intellectual matters the French, who have preponderant control of the work of the committee, will not do anything effective for their German brothers in distress.

But the committee has looked ahead, and is trying to lay foundations for a more complete intellectual co-operation in the happier days that may yet be in store for a wiser world.

Three sub-committees are now at work ; the first is trying to extend the international agreements regarding the copyright for new theories and discoveries, so that the discoverer as well as the patentee of a new industrial process may derive some benefit from his work.<sup>1</sup> The second sub-committee is concerning itself with bibliography ; its object is to bring together information of all learned books and periodicals published, and to form two or three libraries in different parts of the world where all publications will be received. So much has been done along these lines in the past two or three decades by various voluntary societies in certain countries that the task of the committee is really the completion and perfection of work already undertaken.

The third sub-committee is trying to promote fuller co-operation between the universities of the

<sup>1</sup> This looks a little like intellectual trade-unionism.

world. It has under discussion a project for publishing from time to time information regarding special courses of lectures to be delivered at universities, thus supplementing the information already obtainable in various Year Books as to normal courses of study. A scheme for the interchange of lecturers is also under discussion. The Chairman of the Committee (Professor Bergson) also proposed that "objective instruction of the current problems, the state of mind and the vital interests of foreign nations" ought to be encouraged. This seems to be approaching the need of the moment.

It is not to be imagined that new ground is being broken by any of these projects. The Union of International Associations at Brussels, under the guidance of those distinguished internationalists, MM. La Fontaine and Otlet, has already achieved wonderful results in some of these fields. Every science, every branch of learning, has its international congresses and the fullest international intercourse. Even the events of the last few years, though they have witnessed the monstrous spectacle of great thinkers abusing one another across the battlefield in language only fit for demagogic statesmen and gutter journalists, have not been able to sever the links binding the unobtrusive devotees of culture and science from their enemy-comrades. The writer himself witnessed the ejection, chiefly by the amateur "publicists" of a certain science, of the German members of a learned British society, but there were strong protests from experts and students and from soldier-members in the trenches.

The opportunity has since come for those who care for the things of the mind, students and professors together, to do what they can to rescue their so-called enemies ; and the work undertaken by the Student Christian organisations and other relief agencies in Britain and many countries for the assistance of the students of Central Europe, irrespective of nationality, will not soon be forgotten. It is well that the League of Nations too is recognising the necessity for intellectual co-operation.

For the truth is that the intellectual isolation of a nation, whether encouraged from within or forced from without, may have more awful effects than any political action. Or rather, intellectual isolation, or pride of race or nationality, is bound to lead to political enmity. The war has had devastating results in this field as in others ; to a great extent it was the outcome of a false attitude to politics—not in one nation alone, but in all ; and it seems to have fostered those very vices of thought out of which it sprang.

The first volume of *The Cambridge History of British Foreign Policy*, published in 1922, is introduced with these words : “It is intended to combine with a strict adherence to historical truth, wherever ascertainable, a national point of view—in other words, an avowed regard for the interests, and above all for the honour, of Great Britain ; and the list of contributors to it has been confined to historical scholars who are British subjects by birth. Our work has accordingly not shrunk, and will not shrink as it progresses, from seeking to vindicate for British Foreign Policy that claim to

consistency which in certain respects has been denied to it by some of its censors, and in others allowed to it only in the way of sarcasm." What is this, in spite of the first clause, but a confession that the Muse of History is to be debased to serve national propaganda? What if one of the contributors should feel that some actions of Great Britain had not been honourable?—that her policy was not always consistent?

The preface in which these words occur is signed by two great historians, one of whom, Dr. G. P. Gooch, is distinguished by an unrivalled capacity for regarding recent international events with scientific impartiality. It is incredible that he or some at least of his colleagues would ever consciously permit a national bias to draw them away from what they honestly regard as the truth.<sup>1</sup>

Yet such words as these are precisely what must lead to that intellectual dishonesty of which we as a nation are accused by many foreigners, and to that narrow nationalism from which western culture is suffering perhaps even to death.

In unravelling the tangled skein of international politics, in attempting to present international policy in a true historical setting, it should surely be the

<sup>1</sup> From the candid way in which the bombardment of the Danish fleet at Copenhagen by the British in 1806 is treated, it is clear that the full implications of the sentences in the preface have not been accepted by the editors and contributors. On the other hand, the treatment of the South African War of 1899 is open to serious criticism; the reader is left with the impression that the British Governments had carried out a fairly consistent and temperate policy right up to the outbreak of the war; that President Kruger alone was responsible for the rupture; and that the whole affair was only a minor incident of British foreign policy.

duty of the seeker after truth not to look for justification of his own nation's deeds, but rather to seek first to justify the deeds of all the others, and to beware of accepting too readily the justifications that inevitably suggest themselves for the shady actions of his compatriots. Paradoxical as it may seem, it may be the duty of the British historian to show the actions of the French or German Government in the best light, and to leave the justification of the British Government to French and German scholars. Fénelon is praised by Lord Acton because he wrote in the age of Louis XIV "that a historian ought to be neutral between other countries and his own, and he expected the same discipline in politicians, as patriotism cannot absolve a man from his duty to mankind. . . . Fénelon wished that France should surrender the ill-gotten conquests of which she was so proud, and especially that she should withdraw from Spain. He declared that . . . nothing could make that right which was contrary to the balance of power and the security of nations. . . . He hoped that his country would be thoroughly humbled, for he dreaded the effects of success on the temperament of the victorious French."

Some of Lord Acton's successors in the Cambridge historical school seem to have a different conception of their duty: not only they, but also the statesmen and political thinkers of modern Europe, might be encouraged to turn to Fénelon for their inspiration. There is great need for intellectual co-operation and for the insight and appreciation that it should bring to every man and woman whose learning is lit by imagination and sympathy.

What is the right attitude of the good citizen towards his own and other nations? Patriotism he should assuredly possess, as one of his strongest loyalties. But a true patriot will never permit his devotion to the good of his own race and nation to be degraded into antipathy against other peoples. They too are men who have come into the world by the same entrance, and must leave it by the same exit ; they may have characteristics or habits that differ in some ways from our own ; but they also love and hate ; they too laugh and weep. Nationality is a fact of spiritual consciousness. It is not necessarily connected with political organisation, with government, at all. Some of the deepest patriotic devotion is confined to a single town or village, to one valley, county or canton, to a special group or class. But it is not necessary for such an emotion to express itself in hostility to people of the adjoining town or county, or of a different class or party. So too among nations.

The *Manchester Guardian* of March 17, 1923, reported the following incident arising out of the French occupation of the Ruhr : "At Düsseldorf a French soldier was sentenced to two months' imprisonment for killing a German child. This tragedy occurred on February 3rd. The French announced that the soldier had stumbled while going upstairs into the railway-station, and that his rifle had gone off accidentally, killing the child. In the evidence at the court martial yesterday it appears that the soldier, with several others, was inside the station. A number of children peeped in at the window. A soldier raised his rifle so as

to frighten them away. The rifle went off accidentally, and a little girl was killed. The German Press exploited the incident to stir up feeling against the French, whereupon the father of the little girl wrote a letter to *Freiheit*, the Düsseldorf Communist paper, saying that he was convinced it was an accident. He protested against the way in which it was being exploited by Nationalist propagandists, and expressed a wish that the French court martial would not deal too severely with the soldier." .

In a sane world that German father would be hailed by all his compatriots as the noblest of patriots. For the noblest man is plainly the truest patriot.

Public spirit, the recognition that what is for the public good should overrule private desires and emotions ; together with imagination that perceives the nature of man beneath his puzzling and disagreeable behaviour : these seem to be among the great needs of the present time.

But what is the community whose "public good" should be first considered? Is it the State? Mazzini long ago insisted that man's duty to humanity comes before his duty to his country or family ; and if this is true, it is high time to emancipate political thought from the idea of State Sovereignty. The State in Europe has achieved its task of inculcating in most of its citizens a fair degree of self-discipline and respect for the rights of their neighbours ; and it has protected them against lawless "barbarians." In the present condition of Europe men and women are no longer willing to be ordered by a central authority to

do things which their intelligence questions ; and there are no longer barbarians in Europe who live by war. The State has outlived its greatest utility ; certain very important duties, increased in some respects by the complex nature of modern economic and other conditions, remain to it ; but, not satisfied with these functions, it is now standing in the way of fresh groupings, fresh developments of individual initiative and the universal intercourse which modern ideas and modern communications demand. If men and women would appreciate these facts of modern life and their political implications, national armaments and political nationalism would be recognised as the anachronisms which, in fact, they have become. Instead of this, many exponents of the League of Nations are careful to insist that it is not, and cannot be, a super-State; if this means that they do not want it to exercise unnecessary authority, it may be right ; but they seem to be anxious to explain that it will never venture to interfere with the sovereignty of its members, however bad the government of those members may be. Yet this is precisely what a League of Nations ought to do. It should be ready to intervene whenever a dangerous situation arises. The international machine cannot work if the State machines are out of gear. The world as a whole must concern itself with the welfare of each component organism. If one nation suffers, all the others suffer with it. They have both the right and the duty to intervene with their united authority, and such intervention should be welcomed, not resented. Instead of claiming that Irish affairs were a purely British

concern, a sane opinion in all British territories a few years ago should have welcomed the intervention of a disinterested world authority. There is no more sanctity about the State than about many of the other organisations man has formed for controlling and assisting his social relationships ; moreover, whilst one is bound to recognise the great assistance derived from orderliness and equal laws in the development of civilisation, one cannot overlook the vast evils that have been wrought in the name and under the authority of the State.

The State is a convenient unit for the ordinary purposes of government ; but, just as municipal and other local assemblies are rightly charged with the control of local affairs, subject to general control by the State, so too the State should be subject to the control of a world-wide authority ; and just as in feudal times the King of England insisted that every free man must give his first allegiance to him, and only a secondary allegiance to his immediate overlord, so now the first loyalty of every good man should be given to the League of Nations, and only a secondary allegiance to his State.

Until British, French, Italian and American public opinion recognise this obligation ; until the British, French, Italian and American Governments are prepared to accept the verdict of their weaker neighbours concerning their own actions, the League of Nations cannot function as it should. This is the test of our sincerity.

No sacrifice of true national feeling is involved, but simply the emancipation of the spiritual force

of nationalism from its degrading association with political animosities.

If the supreme authority of the League of Nations ought to be recognised, on what principle should that authority be exercised? Fénelon, as quoted by Lord Acton, declared that power was poison ; and over two hundred years' experience of State power since his day provides plentiful evidence of the truth of his words. Hardly any man can withstand the intoxication of a position of great authority. He deceives himself by supposing that his ideals are so high that the community will benefit from the enforcement of his decrees. On the whole the need for the consent and approval of the governed has been increasingly recognised in the past two centuries ; but the lesson has not yet been fully learnt that dictatorships, though they may sometimes seem to cut tiresome knots, usually lead to worse tangles and greater discontent. There is no short cut to political health in a State whose citizens lack public spirit ; neither is there any short cut to peace in a world where separate States care more for power and dominance than for peace.

If the League of Nations is based upon military force, it will fail. Its authority will be resented. There is even a danger that if force be reserved as a "last resort," as at present in Article XVI of the Covenant, it will still fail. For the philosophy that insists on force "in the last resort" is still a philosophy that believes in force. If a State is inclined to challenge the authority of the League, it will not be conciliated by the menace of possible coercion. It is clear that at present old-established

States are not willing to be coerced by an international authority ; if such coercion were attempted, civilisation would soon be reduced to ruins. The League must act by persuasion, by reason, by the publication of truth, by agreement—at the worst perhaps by refusal of intercourse. And the astonishing discovery is being made, that the representatives of a State are much more likely to be reasonable and conciliatory if they know that their neighbours have only reason and truth and common sense as weapons behind their arguments, than in the conferences where each suspects the others of trickery and fraud, and where threats of force are used or implied. The method of persuasion is right in itself ; it accords with the dignity of man, the rational being ; it is more likely to meet with a response ; and it leaves no sense of bitterness in which seeds of revenge may germinate and grow up to bear bitter fruit for future generations. Man does not act from fear so much as from the compulsion of his own sense of right ; and that sense of right can be encouraged by sympathetic treatment, even in diplomatic conferences.

States keep large military establishments in order that their neighbours may fear, and, fearing, may acquiesce in their demands. But this does not happen. The neighbours do the same. And sooner or later one State, fearing lest the other attack it in a moment of weakness, launches an attack while it is strong. The effect on the psychology of the neighbouring States is not what was anticipated. Neither is the desired effect produced in the minds of its own citizens.

The second purpose of armaments is to give a sense of security to the people of the armed State ; but it may be doubted whether any people have obtained a sense of security by arming. For, as already pointed out, the other States follow suit, and each people becomes more and more terrified by the designs of its neighbours and by the prospect of the frightful consequences that must follow when these stupendous engines of war begin to destroy.

The only States that feel reasonably secure are those that begin to disarm, so that all their neighbours recognise their pacific intentions. There is no security obtainable by force, or by armament. Security is a sane attitude of mind, which recognises the potential friend in all neighbouring States, instead of the potential enemy ; and which takes the first steps towards promoting that friendship. As long as the French continue to occupy German territory and to keep up a great armament in face of a forcibly disarmed neighbour, they will live in fear of that neighbour. As long as Poland, Italy and other States think they can become strong by military adventures at the expense of their neighbours, or by ruthless suppression of minorities, so long will they remain weak. As long as the Russian Government talks of promoting revolution in all countries, as it has done in Georgia and Armenia, so long will any useful revolution be delayed, and the distrust of Russia continue. As long as Japan occupies Korea with military forces she will have cause to fear America or China. As long as America excludes immigrants, allows

imperialistic policies to be executed in her name upon Mexico and Haiti, and as long as she talks of the necessity of preparedness, she will have good cause to fear disruption from alien immigrants, distrust in South America, and war with her sea rivals. And as long as Great Britain depends for security upon her navy, and upon the possession of strong points in the Mediterranean and everywhere else, often in defiance of local sentiment, so long will Italy and France, with far stronger claims for Mediterranean "power," distrust her intentions; so long will Japan and America watch her actions in the Pacific with hostile eyes; so long will she have good reason to fear revolt in India and Africa, or a combination of European Powers determined to destroy her Empire and ruin her trade; so long, finally, will her avowed policy of peace and her support of the League of Nations be regarded in all foreign countries as the measure of her hypocrisy.

If the British people want peace, if they want the League of Nations to become a reality, they must act consistently. They must be ready to give up Gibraltar, Malta, Cyprus, control of the Suez Canal, mandates in Central Africa and the Near East; Cyprus to Greece, Malta probably to Italy, Gibraltar perhaps to Spain, the African territories to German mandate, the Near East to independence—or all to whatever authority the League of Nations might designate. The British entered the war, they truly claimed, with no desire to add to their territory; and yet, in 1919, the British Government, caring nothing

for the reputation of the people to whom it was responsible, gained control over the "Lion's share" of the territory surrendered.<sup>1</sup>

The policy of power can only lead to ruin ; but renunciation of empire, coupled with disarmament, will bring security to any State—especially to a Great Power—that will disarm.

It is not military power alone that menaces the world. Economic power is quite as deadly in its moral effects, and little less so in its material consequences. If the world is going to disarm that it may fall a prey to high finance, acting internationally, beyond the reach even of enlightened Parliaments, one form of misery will only take the place of another. Great financiers are no more wicked than other people ; often they are quite conspicuously kind, and gentle, and wise. But "power is poison." "How hardly shall they that have riches enter the kingdom of heaven!" That is to say, the kingdom of the meek and the humble. The temptation to make profits, to put self-interest above the interest of the community, is too great. Many captains of industry and bankers—to their honour be it said—resist the worst temptations ; but many more fall, as which of us others would not, if we had

<sup>1</sup> I heard a National Liberal Member of Parliament deny this statement, when made by a Labour M.P. He declared that though the territory acquired by Great Britain, under mandate, might be more extensive than that acquired by France, the French had secured a greater increase of population. This is quite untrue. The population of the French mandated areas is only about half that in the British territories, according to the figures given in the *Statesman's Year Book*.

their opportunities? But if the League of Nations is to become a league of happy nations, it must check all forms of economic exploitation. Security from the ravages of war must be coupled with security for the well-being of all.

"Security!" some patriot will echo; "do you think we care about security? Adventure is what we want." And the last lesson (or the first) that must be learnt, if the world is to achieve a goal worthy of man, is that peace is the inevitable condition for all the best adventures life can give. Peace—the abolition of war—is not the goal of human endeavour. Perpetual peace is not only an inn-sign depicting a graveyard;<sup>1</sup> it is also the first condition of a fruitful life. A strange delusion has caused some men to regard pacifists as beings who long for a degenerate tranquillity, a living death; as though pacifists think that the ideal life consists in a careful preservation of existence, without excitement or adventure or combat, to an extreme old age. The ideal life to many pacifists is the life of Christ, who never behaved brutally or callously to anyone, but who lived so fully and so fearlessly, that when He died in the early thirties He had stirred the deepest impulses of human life. The divine life is full of devotion to truth and beauty, of love and laughter, of grief and joy, of courageous combat with evil. But this does not involve hatred and deceit and brutal lust and the other loathsome vices which war always breeds.

There are two sorts of tranquil life, and two sorts of adventure. There is the tranquillity

<sup>1</sup> Cf. the opening sentences of Kant's *Perpetual Peace*.

produced in the mind by a machine-like discipline, and by constant repetition of activities in which the mind takes no pleasure or delight ; such an existence tends to destroy the soul, and to bring the tranquillity of death. And there is that peace within the soul, produced by healthy activity of body and mind, alert and vigilant in the pursuit of all that is good. This is the tranquillity that is cherished by those who love peace.

War is an adventure on behalf of lies and ugliness and evil. Peace sets men free for adventures in the cause of truth, beauty and virtue. And man, notwithstanding all his lapses into baseness and brutality, must still be accounted worthy of that freedom.

Europe's great tradition is not dead. The spirit of Voltaire, of Rousseau, of Hugo, still lives in France. Kant and Goethe are still alive in Germany. England has not forgotten Milton and Shelley. The voice of Tolstoy is not mute. Erasmus of Rotterdam shall yet see Europe at peace, and Dante his universal empire. Man's treatment of man shall no more incur the satire of a Swift, for the nations of Europe shall respond in unison to the music of Beethoven. A people determined to live cannot die ; men and women who will sacrifice themselves for friend and enemy, not in death only, but in life, shall save the people's soul. Europe shall arise transfigured from her sufferings, with a keener perception of truth and a purer vision of beauty.

# INDEX

Aaland Islands, 84-6  
 Abyssinia, 33  
 Acton, Lord, 199, 204  
 Admission to the League, 30  
 Africa, 40, 144, 183-5, 189-90  
 Agriculture, International Institute of, 45  
 Albania, 62, 94-8, 99, 167, 169-70  
 Allenstein, 146  
 Alsace, 162  
 Ambassadors, Council of, 90-2, 93, 95, 173  
 Amendment of the Covenant, 29  
 America, South, 124, 190  
 America, *see also* United States  
 American Relief Administration, 50  
 Arbitration Court, 78  
 Argentine, 30  
 Armaments, 107 sqq., 205-6  
 Armenia, 105, 183, 206  
 Article 10 of the Covenant, 27-9  
 Asia Minor, 50  
 Assembly of the League—  
     the first, 30, 34, 95, 109  
     the second, 34, 95, 109  
     the third, 35, 41, 69-70, 97, 106, 156-7, 182-8  
     the fourth, 35, 51, 159  
 Athens, 49  
 Australia, 61  
 Austria, 24, 67-75, 146, 162-3, 166, 177, 192, 195  
 Balfour, Lord, 70, 89, 182, 187, 189  
 Baltic States, 30, 31, 167  
 Bannerjee, Professor, 194  
 Barcelona Conference, 58  
 Bavaria, 75  
 Belgium, 22, 32, 34, 63, 117, 132, 149, 185  
 Bellegarde, M., 183-4  
 Benes, Dr., 37  
 Bergson, Professor, 194, 196  
 Bessarabia, 171  
 Bibliography, 195  
 Boer War, 198  
 Bohemia, 165  
 Bolivia, 105  
 Bondelzwaart Hottentots, 183-4  
 Bourgeois, M., 89  
 Branting, M., 24, 35, 114, 139, 158, 171  
 Brazil, 34, 186-7  
 Bromberg, 170  
 Brussels, 196; financial conference, 60-1  
 Bulgaria, 24, 25, 49, 59, 98-9, 166  
 Calendar, reform of, 60  
 Cambridge *History of Foreign Policy*, 197  
 Campbell-Bannerman, Sir H., 130  
 Canada, 61, 63, 117  
 Carelia, Eastern, 82  
 Caucasian States, 31  
 Cecil, Lord R., 10, 22, 95, 100-1, 110, 113 sqq., 139, 182, 185, 186  
 China, 105, 182  
 China, 34, 36, 49, 57, 60, 65, 118, 149, 187-8  
 Class conflict, 194  
 Clemenceau, M., 168

Coal, 99, 133, 147, 158  
 Communications, revolution in,  
     45  
 Communications and Transit  
     Organisation, 58-60  
 Conciliation, 17-18  
 Constantinople, 49, 50  
 Co-operation, international, 18-  
     19  
 Copenhagen, 198  
 Copyright, 195  
 Corfu, 100 sqq.  
 Council of the League, its com-  
     position, 34 sqq.  
 Court of International Justice,  
     Permanent, 17, 25, 27,  
     77 sqq., 101 sqq., 122, 169,  
     171, 181, 193  
 Covenant of the League, 20 sqq.,  
     131  
 Croatia, 163  
 Curie, Madame, 194  
 Curzon line, the, 87  
 Cyprus, 207  
 Czecho-Slovakia, 35, 36, 59, 69,  
     118, 163, 166, 171, 172  
  
 Danube, 59, 165  
 Danzig, 69, 140 sqq.  
 Denmark, 36, 118-20, 135, 177,  
     198  
 Disarmament, 107 sqq., 185-7  
 Dorpat, Treaty of, 81  
 Düsseldorf, 200  
  
 Easter, 60  
 East Prussia, 90, 140, 143  
 Economic and Financial Organ-  
     isation, 61-2  
 Economic imperialism, 40, 107,  
     154, 184-5, 189, 208  
 Economic sections of the Treaty  
     of Versailles, 23  
 Edwards, Señor, 182  
 Einstein, Professor, 192  
  
 Esher, Lord, 112-13  
 Eupen, 132  
 Europe, 15  
  
 Fénelon, 199, 204  
 Finance, *see* Economic and  
     Financial Organisation  
 Finland, 61, 81-2, 84-6, 120  
 Fisher, Mr. H. A. L., 185  
 France, 22, 25, 31, 34, 63, 69,  
     81, 82, 90-1, 112, 113-15,  
     134 sqq., 147 sqq., 163, 195,  
     206  
 Free Trade, 191, 194  
*Freiheit* (German paper), 201  
  
 Galicia, Eastern, 92-4, 165, 173  
 Gandhi, Mr., 39  
 Geneva, 63, 69, 75, 158, 185  
 Georgia, 105, 206  
 German Colonies, 144  
 Germany, 22, 31, 33, 36, 38,  
     63, 75, 82, 86, 90-1, 130,  
     131 sqq., 163, 166, 170, 177,  
     191-2, 200-1, 206  
 Gibraltar, 207  
 Gooch, Dr. G. P., 198  
 Great Britain, 34, 61, 63, 69, 81,  
     82, 96, 104, 130, 147 sqq.,  
     161, 185, 187, 207  
 Greece, 22, 34, 51, 55, 62, 94,  
     99 sqq., 121, 166  
 Guarantee, Treaty of Mutual,  
     113 sqq.  
  
 Hague, The, 78  
 Haiti, 183, 207  
 Haking, General, 141-2  
 Hanotaux, M. Gabriel, 31  
 Harley, Mr. J. H., 173  
 Health Organisation of the  
     League, 52  
 Hector, Dr. (member of the Saar  
     Commission), 135  
 Hoare, Sir Samuel, 48

Holland, 61, 121  
 Hungary, 24, 59, 163, 166, 171, 175  
 Hunger, M., 98  
 Hymans, M., 89, 91

Iceland, 30, 36  
 India, 39, 57, 61, 63, 65, 187  
 Intellectual Co-operation, 194-6  
 International Justice, 17, 77 sqq., 101-4, 122, 169, 171, 192-3  
 International Labour Organisation, 62 sqq., 80-1  
 International Law, 192-3  
 International Organisation, 17, 45-6  
 Ireland, 104, 162, 183, 202  
 Ishii, Viscount, 152  
 Italy, 22, 34, 68, 69, 82, 84, 94-5, 99-105, 112, 121, 147, 163, 172, 187, 206

Janina, 99  
 Japan, 34, 49, 57, 61, 63, 65, 82, 206  
 Jews, 93, 168, 171, 175-7  
 Jouvenel, M. de, 114, 185  
 Jugo-Slavia, 36, 69, 94 sqq., 166, 172  
 Justice, International, *see* International Justice.

Kant, 209  
 Kattowitz, 149  
 Keen, Mr. F. N., 34  
 Keynes, Mr. J. M., 23  
 Kiel Canal, 82-3  
 Königshütte, 149  
 Koo, Dr. Wellington, 36  
 Korea, 183, 206  
 Korfandy, M., 148, 152  
 Kruger, President, 198

Labour Organisation, International, 62 sqq., 80-1

La Fontaine, M., 196  
 Lange, M., 125, 188  
 Law, International, 192-3  
 League of Nations—  
     attitude to it of pre-war pacifists, 9 sqq.  
     attitude of new pacifists, 12-14  
     its form, 18-20  
     drafting of the Covenant, 21-4  
     criticisms of the Covenant, 20 sqq.  
     Council of, 24 sqq.  
     capitalism and, 39-41  
     an organic body, 41 sqq.  
     humanitarian work, 46-52  
     technical organisations, 52 sqq.  
     Austria and the League, 67 sqq.  
     political actions, 84 sqq.  
     and disarmament, 107 sqq.  
     and the Belgian frontier, 132  
     and the Saar, 183 sqq.

League of Nations Union, 12  
 Lichtenstein, 30  
 Lithuania, 87 sqq., 172  
 Lloyd George, Mr., 133, 148  
 Louis XIV, 199

MacDonnell, Mr., 142  
 Macedonia, 98-9  
 Malmedy, 132  
 Malta, 207  
 Maltese conscripted in North Africa, 81  
*Manchester Guardian, The*, 100  
 Mandated Territories, 40, 144, 183-5, 189-90, 207-8  
 Marienwerder, 146  
 Mediterranean, 207  
 Mexico, 207  
 Minorities Treaties, 83, 94, 165 sqq.  
 Mirdite Republic, 96

Morocco, 81  
 Mosul, 154  
 Murray, Professor Gilbert, 103-4,  
     174, 178, 194  
 Mussolini, Signor, 100 sqq.  
 Nansen, Dr. F., 24, 38, 47 sqq.,  
     103-4, 106, 188  
 Navigation, Inland, 58-9  
 Neutralisation, 191  
 Newton, Lord, 174  
 New Zealand, 61  
 Niemen, River, 92  
 Nitti, Signor, 24, 174  
 Norway, 61, 122  
 Obligatory jurisdiction, 80  
 Oil, 93, 154  
 Opium traffic, 32, 46, 56-7, 187  
 Oppenheim, Professor L., 192  
 Otlet, M., 196  
 Paderewski, M., 168  
 Paris, 158  
 Paris, Treaty of (1856), 85  
 Paton, Mr. H. J., 155  
 Peace, 209-10  
 Permanent Court of International Justice, *see* Court of International Justice, Permanent.  
 Persia, 57  
 Petrograd, 84  
 Phillimore, Lord, 78  
 Pilsudski, Marshal, 88  
 Poincaré, M., 104, 120, 133, 161  
 Poland, 22, 49, 53, 83, 87 sqq.,  
     112, 123, 140 sqq., 145 sqq.,  
     163, 169 sqq., 170-1, 180-1,  
     206  
 Politis, M., 51, 160  
 Population problem, 194  
 Portugal, 123  
 Postal Union, Universal, 45 ^  
 Prisoners of War, 47-8

Procedure in the League, 25  
 Prussia, 146  
 Prussia, East, *see* East Prussia.  
 Quakers, 50, 68  
 Quarantine, 45  
 Race problem, 194  
 Rault, M., 139  
 Red Cross, 47  
 Refugees, 48-9  
 Reparations, 24, 155 sqq.  
 Requin, Col., 124  
 Rhine, 22  
 Road traffic, 60  
 Rockefeller Institute, 55  
 Root, Mr. Elihu, 78  
 Rothermere, Lord, 161  
 Ruanda-Urundi, Kingdom of,  
     185  
 Ruhr, 32, 104, 138, 158-9, 200  
 Rumania, 49, 59, 163, 166, 171  
 Russell, Mr. Charles, 173  
 Russia, 36, 38, 48-50, 53-5, 81-2,  
     87, 206  
 Russian émigrés, 48-9  
 Russian famine, 49-50, 53-4  
 Ruthenians, 93, 171  
 Saar, 22, 133 sqq., 161  
 St. Germain, Treaty of, 167  
 Salandra, Signor, 101-1  
 Schiffer, Herr, 82  
 Schleswig (Slesvick), 146, 177  
 Schücking, Professor, 82  
 Scots, 164  
 Secretariat of the League, 71,  
     192  
 Security, 207-9  
 Seipel, Mgr., 69-70, 74  
 Seton-Watson, Dr. R. W., 174  
 Sèvres, Treaty of, 166  
 Silesia, Upper, 22, 145 sqq., 191  
 Slavery, 33, 46  
 Slovaks, 163

Slovenes, 163  
Smuts, General, 22, 46, 183  
S.O.S., 45  
South Africa, 61, 183-4  
Spain, 34, 123, 168  
Stambuliski, M., 99  
State sovereignty, 46, 155, 201-3  
Stockholm, 84  
Student Christian Movement, 197  
Sweden, 35-6, 61, 84-6, 124  
Switzerland, 61, 124  
  
Terasssevich, Professor, 53  
Tellini, General, 99  
Temperley, Mr. H. W. V., 155  
Temporary Mixed Commission (Armaments), 109 sqq.  
Ter Meulen; credits scheme, 68  
Teschen, 155  
Thrace, Western, 51  
Traffic in women and children, 25, 56-7  
Transit, *see* Communications and Transit Organisation.  
Transylvania, 165, 172  
Trianon, Treaty of, 167  
Tunis, 81  
Turkey, 32, 50, 57, 94, 166  
Tyrol, South, 172  
  
Ukraine, 93  
Unanimity in League decisions, 25-7  
Union of International Associations, 196  
  
United States, 27, 34, 57, 61, 63, 68, 128-9, 206-7  
Universal Postal Union, 45  
Universities, 195-6  
Upper Silesia, *see* Silesia, Upper.  
Uruguay, 35  
  
Valona, 95  
Versailles, Treaty of, 21, 32, 62, 82, 92, 133 sqq.  
Vienna, 74-5, 172, 195  
Vilna, 87 sqq., 172  
Vistula, River, 140, 143  
Viviani, M., 158  
  
War, 210  
Warsaw, 52  
Washington Labour Conference, 64-5  
Washington Naval Conference, 110, 128, 130, 186  
Waugh, Mr. R. D., 135-7  
Welsh, 164  
White Slave Traffic, *see* Traffic in Women and Children.  
Wilson, President, 22, 23, 131, 133  
Wimbledon, s.s., 82-3  
Women and children, traffic in, *see* Traffic in, etc.  
Wood, Hon. E. F. L., 139  
  
Zeligowski, General, 88  
Zimmermann, M., 72, 74

